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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF

THE STATE OF INDIANA,

BEING THE

Fifth Session of the General Assembly,

BEGUN AND HELD AT CORYDON,

On Monday the 27th November, 1820.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF

THE STATE OF INDIANA,

AT THEIR SESSION

BEGUN and held at the town of Corydon, in Harrison county, in the state aforesaid, on the 27th day of November, in the year of our Lord 1820, pursuant to a Proclamation for that purpose, issued and published by his Excellency JONATHAN JENNINGS, Governor of the state aforesaid, dated the day of , in the year aforesaid; on which said 27th day of November, the following Representatives appeared, to wit:

From the county of Wayne—Joseph Holman, Simon Yandes, and Thomas Swaine.

From the county of Franklin—James Goudie and Joseph Hanna.

From the county of Dearborn—Ezra Ferris and Erasmus Powel.

From the county of Switzerland—Samuel Morrell.

" " " " *Orange Samuel*
See page 52. 61 H H H

of Representatives.

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From the county of Jefferson—Jeremiah Sullivan and Thomas Crawford.

From the county of Clark—John F. Ross, Andrew P. Hay and Joseph Gibson.

From the county of Jackson—William Graham.

From the county of Washington—Maston G. Clark and Samuel Milroy.

From the county of Harrison—John Tipton, Henry Green and Jacob Zenor.

From the county of Perry—Samuel Conner.

From the county of Warrick—Daniel Grass.

From the county of Posey—Charles I. Battell.

From the county of Gibson—David Robb.

From the county of Knox—George R. C. Sullivan, Robert Sturgus and John McDonald.

Who, having produced their certificates, were sworn into office in the usual form by the Honorable ISAAC BLACKFORD, one of the Judges of the Supreme Court of the state of Indiana, and took their seats in the Representatives' Chamber.

The House then proceeded to elect, by ballot, a Speaker, and the votes having been duly taken and counted, it appeared that WILLIAM GRAHAM, the representative from the county of Jackson, was duly elected; and he was accordingly conducted to the Chair.

The House then proceeded to elect a Clerk, by ballot, and upon counting the votes, it appeared that WM. W. WICK, was duly elected to that office. He was accordingly sworn into office, and took his seat at the Clerk's table.

The House then, in the same manner, proceeded to elect an Assistant Clerk, and the votes being counted, it appeared that HENRY P. THORNTON was duly elected to that office.

JOHN MOORE, in the same manner, was elected Door-Keeper, and was sworn into office.

On motion by Mr. Ross,

Resolved, That a committee be appointed to inform

the Senate that the House of Representatives have convened, formed a quorum, and have elected William Graham, Speaker, William W. Wick, Principal Clerk, Henry P. Thornton, Assistant Clerk, and John Moore, Door Keeper; and are now ready to proceed to legislative business.

And thereupon,

Mr. Ross was appointed a committee for that purpose.

On motion by Mr. Sullivan of Knox county.

Resolved, That the standing rules and orders for the government and conduct of the House of Representatives of the state of Indiana, reported and adopted at their session of the year 1818, be adopted as standing rules and orders for the government of the House at their present session, till others are adopted in their stead.

The House adjourned till to-morrow morning, at 9 o'clock.

Tuesday Morning, 9 o'clock, 28th Nov. 1826.

The House met pursuant to adjournment.

Enoch D. John, a representative from the county of Franklin, now appeared, produced his credentials, was sworn into office and took his seat.

A message from the Senate by Mr. Polke.

Announcing that the Senate have met, formed a quorum, elected James Morrison Secretary, and Henry Batman Door-Keeper, and are ready to proceed to legislative business.

On motion by Mr. Hay,

Resolved, That a committee be appointed on the part of this House, to join such committee as may be appointed on the part of the Senate, to wait on his Excellency the Governor, and inform him that the two Houses have convened, formed a quorum, and are ready to

receive any communication he may be pleased to make to them.

And thereupon,

Messrs. Hay and Tipton were appointed that committee.

Ordered, That Mr. Hay inform the Senate thereof.

A message from the Senate by Mr. Drew,

Announcing that the Senate have adopted the following resolution, to wit:

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee appointed on the part of the House of Representatives, to wait on his Excellency the Governor and inform him that the two Houses of the General Assembly have convened, formed a quorum, and are now ready to receive any communication he may be pleased to make, and to learn of his Excellency at what time he will make such communication.

And that the Senate have appointed Messrs. Drew and Bartholomew a committee on their part.

Mr. Hay, from the committee appointed to wait on his Excellency the Governor, reported, that the committee had performed the duty assigned them; and that they had received for answer, that he had a communication to make, which would be made immediately in the Representative Chamber.

On motion by Mr. Ferris,

Resolved, That the Senate be invited to attend immediately in the Representative Chamber, for the purpose of receiving the communication of the Governor.

Ordered. That Mr. Ferris perform the duty contemplated by the said resolution.

The Senate, pursuant to the above invitation, now convened in the Representative Chamber, when his Excellency the Governor, in person, made the following communication to the two Houses:

of Representatives.

*Gentlemen of the Senate, and
House of Representatives,*

THE present meeting of the General Assembly at an earlier period than the constitutional, has been required, to afford to the state an opportunity to participate in the pending election of President and Vice President of the United States. An event so important, involving principles so interesting, should not be suffered to transpire without exercising our rights as a member of the Union.

Since the last session, and in conformity to the provisions of an act of the legislature, the commissioners selected to locate the lots of ground granted to this state, on condition that our future and permanent site for the seat of government, should be thereon located; were, by proclamation, requested to meet on the 22d day of May last. They met accordingly; and it should be a source of much public satisfaction, that they discharged their duty with unanimity, and it is believed to the satisfaction of the different sections of the state.

The property thus secured, by timely care and prudent management, will in due time produce ample resources, without resorting to taxation, to meet the expenditures necessary for the erection of all public edifices of state character. This property, if the ultimate proceeds of its value be realized, should be secured from speculation by the time, manner and also by the conditions of its sale. The person or persons, to whom the disposition of the whole or any part thereof may be confided, should be required to make frequent reports of their official proceedings; and should at all times be subject to removal from the trust, when the public interest would require it, without the procrastination attendant upon impeachment or the formal process of a judicial proceeding. Although it is not to be presumed, that expectation is to be disappointed in the exercise of such trust sooner than another, it becomes our duty, notwithstanding, acting as public agents, to secure the

interest of the community, by every safeguard which the principles of the constitution and the genius of our government may authorise.

Of the funds appropriated for the purpose of purchasing stock in the Jeffersonville Ohio Canal Company, in behalf of the state, a portion of it has been paid on the whole number of shares for which a subscription was authorised to be made, and the residue remains deposited, subject to the draft of the executive, to the use however for which it was intended. The importance of the object contemplated by that association, interests the commercial enterprise of a great portion of the citizens of the state, and its completion cannot be separated from the reputation of the state, at least so far as it is connected with our exertion in favor of internal improvement. To appropriate a certain portion of the three per cent fund, assigned to making roads and canals within the state, not to exceed one half of its annual amount, until the object be attained, upon the condition that the state of Ohio shall become interested, would unite public confidence sufficiently to remove in a reasonable time, the impediments presented by the falls of Ohio to the increasing and greatly to be enlarged commerce necessarily to be entrusted to its navigation.

The paper circulating medium of our state presents a subject matter of important consideration. The depreciated situation of that portion of it which has emanated from the non specie paying banks, requires an impartial examination into the causes, as also their situation, to enable us to do justice to the importance of the subject, as well as the interests of all concerned. Those who are not debtors to the Banks, cannot be considered as unjustifiable, when they complain of the depreciation of their paper; but public sentiment has yet to be expressed in relation to those, who are defaulters to the banks, in not meeting the payments required, though not unfrequently they find inducements to injure the credit of the Banks from which, they improperly with-

hold payment. It cannot be denied, that the disinterested holder of depreciated bank paper, on account of the uncertainty of the rates of exchange, must at all times be subjected to loss ; while, the defaulters to the banks may be gainers in proportion to the depreciation of their paper ; and this depreciation produced, on account of, and in proportion to, the amount withheld by nonpayment. Every measure, which shall have a tendency to subject the paper medium of the state, to a greater depreciation than at present, unless such measures should be required by other reasons than the amount of their paper in circulation, will tend to the injury of the disinterested holder, and enable the debtors to the banks to discharge those debts, by speculation in the purchase of the paper of the Banks to which they stand indebted. Although most of our banks, from want of foresight, have acted imprudently in issuing paper too freely ; yet, from the best information, they have generally been engaged in recalling it from circulation for more than a year past.

To restore the circulating medium to a specie standard, should unite our exertions in every rational and practical measure tending to that object ; and although it may be impracticable to accomplish it as soon as would be desirable, without producing considerable sacrifices of property, yet our views should be constantly directed to its accomplishment. To designate a time, within which it shall be made the duty of the banks to resume specie payments is recommended to your consideration, having a reference in prescribing such time, to the consequence of forced payments upon the community, and the corresponding requisite of legal means of collection. Such a measure will enable the banks, as well as legally require them, to force collections ; and stimulate to further exertion, such, as may be desirous to continue as bodies corporate, and likewise remove that uncertainty which is entertained in relation to their

ultimate solvency, or prove their intentions by the result.

Upon this subject it will be my duty, at an early period, to present to your consideration a report of the situation of the State Bank and branches in a separate Message ; and likewise copies of a correspondence had with our non-specie paying Banks.

The situation of the debtors of the United States, and especially those who are actual settlers, will claim a portion of your deliberations. The procrastination of the time of payment of those debts, seems to meet the views of the General Government with reluctance. If it shall meet your approbation to present your wishes in behalf of your constituents, in favor of a measure, which, shall authorise the debtors to the United States to have their monies now paid, transferred to their credit, on such portion of the lands already purchased, as they may select, at one dollar and twenty-five cents per acre ; provided the number of acres upon which such transfer be made, be not less than one half of one quarter section, they would have their due weight ; and if ultimately successful, would be calculated to relieve the actual settlers from the forfeitures of their homes, their money and their labor, which without relief must be inevitable.

The embarrassments of a pecuniary character to which we are subjected, may be attributed chiefly to our vast consumption of articles of foreign growth or manufacture, draining the country of the precious metals, and leaving us indebted to the commercial cities. The surplus produce of the state, increasing in quantity and reduced in price, has been greatly deficient in the amount of its proceeds, to meet the demands upon us which have been created by the consumption of foreign objects of merchandize. By the co-operation of these circumstances, we have become subjected to debts, beyond our present ability to discharge ; and our best interests will require, that we resort to a certain and at

the same time a constitutional remedy, from which permanent relief will be realized. To retrace these errors however facinating, which national pride or false ambition may have produced ; and directing the future, by a strict scrutiny of the past ; by curtailing our consumption of foreign articles ; by the application of active industry, not less to domestic manufactures of every description, than to the soil ; thereby, saving from the former, while realizing the nett gains of the proceeds of the latter, we may ere long be reinstated in our former independence, and learn by experience that moderate and certain gains afford the safest guarantee to relative wealth, so far as may be essential to the attainment of public and private happiness.

The constitution requires, during your present session, a new apportionment of the representation of the state, to the General Assembly. To accomplish this important object with impartiality to the different counties and sections of the state, will be productive of much public satisfaction.

The ways and means for the ensuing year will necessarily claim your attention. Since the operation of the State Government, the average annual income arising from taxation, may be estimated at 13,000 dolls. and the annual average expenditure amounts to more than 17,000. This estimate produces an annual deficit, exceeding 4,000 dolls. to meet the expenses of government, without taking into calculation the delays attendant upon the collections of the revenue, produced in part, by the present system of assessment and collection. To meet such deficiency, the recourse has been to loans, and for the future, if the public credit shall be supported, resort must be to additional taxes or to loan as formerly, to meet, not only this deficiency, but an increased expenditure, necessarily to be provided for as a consequence of an increased representation in the General Assembly. If further loans are to be required it may add to the depreciated paper already in

circulation, which should be avoided, but if additional taxation, it is submitted to the General Assembly, as being better informed of the wishes and abilities of our constituents, and more competent to decide in relation to the objects to which such taxation shall be directed.

It is not without reluctance, that a revision of the present revenue laws is again recommended to your consideration. To require the assessment of taxes to be made at an earlier period each year, would afford more time for payment and enable collectors with more certainty, and less inconvenience to the people, to meet their payments to the Treasury. During the last year more than five thousand dollars have remained unpaid, which should have been received at the Treasury during the month of December last, or within three months thereafter, while shortly after the close of the last session, there were no funds in the Treasury but the paper of Ohio Banks whose credit was greatly depreciated.

The interchange of laws between this and other states of the Union, requires attention. The greater portion of the states have presented to this state, copies of their laws; and request a similar return; all of which, together with various state papers of the United States, have been deposited in the office of the Secretary for this state subject to the use of the Legislature.

The frequent changes which our laws of a general nature have undergone tend to prevent their provisions from being generally known. Many of our fellow citizens have neither the time nor possess the opportunity, to trace the many alterations which take place in the laws regulating the administration of justice, determining the rights of persons and of property: It is not presumed that the progressive improvement of the human mind, will not require revisions of, and amendatory enactments to our laws; but experience should clearly dictate the necessity, as well as the extent of,

additional legislative provisions before they should be carried into execution.

The public good will no doubt be the ultimate object of all your deliberations, mutually exercised with becoming forbearance towards error of opinion ; and with such confidence, reposed, and a becoming reliance upon the Ruler of the Universe, whose goodness & whose laws are equally perfect, you have the assurance of my entire co-operation.

JONATHAN JENNINGS.

On motion of *Mr. Milroy*;

Resolved, That five hundred copies of the foregoing communication be printed,

On motion, by *Mr. Sullivan of Knox*,

Resolved, That the foregoing communication of his Excellency the Governor, be referred to a committee of the whole house, and made the order of the day for tomorrow.

A message from the Senate by *Mr. Slaughter*, announcing that Messrs. Slaughter and Daniel were appointed a committee of ways and means on the part of that house ; and messrs. Slaughter and Drew, a committee of enrolled bills, and requesting the appointment of similar committees on the part of this house.

On motion of *Mr. Ross*,

Resolved, That a committee for enrolled bills, be appointed on the part of this house, to act in conjunction with a similar committee, appointed on the part of the Senate.

Ordered, That Messrs. Ross, Powel, Sullivan of Knox, and Merrell, be that committee, and that Mr. Ross inform the Senate.

Ordered, That Messrs. Milroy, Ferris, Sullivan of Jefferson, Tipton and Robb, be a standing committee of Ways and Means.

Messrs. Ross, Sullivan of Knox, Sullivan of Jeffer-

son, Merrell, Battell, Milroy and Ferris, a committee on the Judiciary, and

Messrs. Powel, Clark and Holman, a committee of Elections,

On motion by Mr. Ferris,

Resolved, That so much of the Governor's message, as relates to the election of electors for President and Vice-President of the United States, be referred to a select committee to consider and report thereon ; and

Messrs. Ferris, Robb and Hay, were appointed that committee.

On motion of Mr. Zenor,

Resolved, That a committee be appointed to furnish the house with stationary, during the present session : also, with the necessary seats and tables, and

Messrs. Zenor, Tipton and McDonald were appointed a committee for that purpose.

On motion by Mr. Clarke,

Resolved, That a committee of five members, be appointed to enquire into the expediency of a law, subjecting the rights and credits of the banks of this state, and their branches, which refuse to redeem their notes with specie, on demand, to attachment and sale, on execution as in cases of absconding debtors, with leave to report by bill or otherwise, and

Messrs. Clarke, Robb, Sullivan of Knox, Milroy and Crawford were appointed that committee.

On motion by Mr. Tipton,

Resolved. That a committee be appointed, on the part of this house, to act in conjunction with a similar committee, on the part of the Senate, to enquire into the situation of the office of the Secretary of state, and also, that they examine the books of the Auditor & Treasurer, to ascertain what amount of the sums appropriated at different times, as a contingent fund, has been drawn out of the Treasury and to what purpose applied since the last session ; that the said committee report to their several houses, and that the Senate be inform-

ed thereof. Messrs Tipton, Clarke and Grass were appointed that committee.

Ordered, That Mr. Tipton inform the Senate.

The Speaker submitted the following communication to-wit :

To the honorable the Speaker,

of the House of Representatives,

The petition of John Ewing of Perry county, humbly sheweth :

That your petitioner contests the seat of Samuel Conner, the returned member for the said county; because your said petitioner says he had a greater number of votes given him in said representative district, than were given to the said Samuel Conner. He therefore prays the same may be submitted to the house, for their consideration and decision thereon.

JOHN EWING.

Nov. 28th 1820.

Which having been read was together with the certificates of the elections of the several representatives at the present session, referred to the committee of elections.

House adjourned to one o'clock.

House met pursuant to adjournment.

Mr. Robb gave notice that on Thursday next, he will ask leave to introduce a joint resolution to adjourn the present session of the General Assembly to Charleston in the county of Clarke.

Mr. Zenor introduced a joint resolution adjourning the Harrison Circuit Court which was twice read (the rule being dispensed with) and ordered to be engrossed and read a third time to day.

Mr. Ferris from the committee to whom was referred so much of the Governor's communication as relates to the election of electors for President and Vice President, reported

A joint resolution providing for the election of Elec

tors for President and vice-President, which was twice read (the rule being dispensed with) and ordered to be engrossed and read a third time this day.

On motion by Mr. John,

Resolved, That a committee of five members, be appointed to act on the subject of Banks with power to investigate the standing of all the chartered banks in this state, to require of the officers of said banks, such information relative to the institutions, under their directions as the committee may deem necessary, to prosecute the investigation, not incompatible with the charters of the said banking institutions, that the causes of the evils arising from the depreciated state of our currency, so loudly and generally complained of, may be known, and a remedy, if possible applied, with leave to report by bill or otherwise.

Messrs. John, Powel, Holman, Merrell and Battell were appointed that committee.

Mr. Hay gave notice that on to morrow, or on some subsequent day of the present session, he will ask leave to introduce a bill to repeal an act entitled, "an act to amend an act entitled an act. subjecting real and personal property to execution, approved January 7th 1818.

Mr. Holman submitted the petition of sundry inhabitants of the county of Wayne, praying the passage of an act to prevent the disturbance of religious assemblies, which was read and referred to a committee composed of messrs. Grass, Ross, Gibson and Ferris.

Mr. Milroy submitted the petition of William Phillips praying an alteration of the line between the counties of Washington and Scott, which was read and referred to a committee composed of messrs. Milroy, Holman, Gibson, Sullivan of Jefferson and Hay.

The Speaker submitted to the house a communication from Daniel F. Goldsmith, trustee of the public seminary for Vanderburg county stating that he has in his hands

\$,29 50

A note on the Treasurer of the county 91 81

In the hands of the Sheriff

75 00

Also a similar communication from James Walker, trustee of the public seminary for the county of Dearborn, stating that he has collected the sum of three hundred and seventy five dollars 98 3-4 cts. which he has leaned.

Mr. Hay submitted the petition of Samuel Gwathmey and others, a committee appointed by the Grand Lodge of Free Masons of the state of Indiana, praying the passage of an act to incorporate the said Grand Lodge and other Lodges of free masons, in this state which was read and refered to a select committee, composed of messrs. Hay, Tipton and Sturgus.

Mr. Ross submitted a number of documents relative to the contested election of Samuel Conner, by John Ewing, which were refered to the committee of Elections.

On motion by Mr. Ferris,

Resolved, That a committee be appointed to call on the Secretary of State, for the returns of the different persons, who have been appointed to take the number of electors in the different counties of this state, with instructions to compare the same and report the strength of each county ; and,

Messrs. Ferris, Sullivan of Knox, and Goudie were appointed that committee.

On motion by Mr. Ross,

Resolved, That a committee be appointed to enquire if any, and if any, what amendments are necessary to be made to the several acts now in force, in this state providing for the opening and repairing public roads and high ways, with leave to report by bill or otherwise.

Messrs. Ross, Hanna, Goudie, McDonald & Clark, were appointed that committee.

On motion by Mr. Powell,

Resolved, That a committee be appointed to enquire if any, and what amendments are necessary to be made

to the act organizing the militia of the state of Indiana, with leave to report by bill or otherwise.

And Messrs. Powell, Tipton, Milroy, Clark, Conner, Kobb, Sturgus, Zenor, and Ross, were appointed that committee.

Mr. Tipton gave notice that on to morrow or some succeeding day of the present session, he will introduce a bill for the relief of sheriffs and for other purposes.

The joint resolution to adjourn the Harrison circuit court was read a third time and passed.

Ordered, That Mr. Ferris inform the Senate.

Mr. Ferris gave notice that on to morrow he will ask leave to bring in a bill to repeal an act entitled an act, defining seals to be affixed to instruments of writing and for other purposes.

Mr. Merrell gave notice that on to morrow or some subsequent day of the present session, he will ask leave to introduce a bill to amend the act entitled an act subjecting real and personal property to execution.

A message from the Senate by Mr. Harrison announcing that the Senate have adopted the following resolution to-wit :

Resolved, That a committee be appointed on the part of the Senate to act in conjunction with such similar committee as may be appointed on the part of the House of Representatives to enquire into the expediency of revising the existing statute laws of this state, that the said committee have leave to report thereon, and that the House of Representatives be informed thereof and the appointment of a similar committee on their part be requested ; and further that the Senate have appointed Messrs. Harrison, Polke, Drew, Cotton and Daniel a committee on their part.

Mr. Hay submitted the following resolution :

Resolved, That a committee be appointed on the part of the House of Representatives to act in conjunction with the committee which has been appointed by the Senate to enquire into the expediency of revising the ex-

isting statute laws of this state, which resolution was read and the question being put shall this resolution be adopted? It was determined in the negative.

On motion by Mr. Robb,

Resolved, That a committee be appointed to enquire into the expediency of providing by law that there shall be no stay of execution allowed by law on judgments, hereafter to be rendered on notes, the amount whereof is expressed either in print or engraved letters, and

Messrs. Robb, Sullivan of Knox and Hanna, were appointed that committee.

The joint resolution providing for the election of Electors for President and Vice President, was read a third time and passed.

Ordered, That Mr. Ferris inform the Senate.

Mr. Milroy submitted the following resolution.

Resolved, That a committee be appointed with instructions to report a bill changing the method of doing county business, and transferring that duty from the board of county commissioners to the Justices of the peace in and for their respective counties; which was read and the question being put shall this resolution be adopted? It was decided in the negative. And

The House adjourned till to morrow morning at 9 o' clock.

Wednesday Morning, November 29, 1820.

The House met pursuant to adjournment.

A message from the Senate by Mr. Baird announcing that the Senate have passed an engrossed joint resolution providing for the election of Electors of President and Vice-President of the United States, which originated in this House, without amendment.

A message from the Senate by Mr. Slaughter announcing that they have passed an engrossed joint resolution adjourning the Harrison circuit court which originated in this House without amendment.

Mr. Ross submitted the petition of Reuben W. Nelson attorney in fact for the trustees of the town of Jeffersonville, praying to be authorized to establish a ferry across the Ohio river at said town, which with the accompanying documents was read and referred to a select committee composed of Messrs. Ross, Hay and Milroy with leave to report thereon by bill or otherwise.

Mr. Sullivan of Knox, presented the petition of sundry inhabitants of the counties of Daviess and Sullivan praying the formation of a new county, also

The petition of sundry inhabitants of a particular district of Sullivan county, praying to be attached to said new county, which were read and referred to a select committee composed of Messrs. Sullivan of Knox, Zenor, Robb, McDonald and Sturgus.

Mr. Milroy presented the petition of sundry inhabitants of Delaware county, praying the formation of a new county, which was read, and referred to a select committee composed of Messrs. Milroy, Sullivan of Jefferson and Holman.

The Speaker laid before the house a communication from Willis Snider, trustee of the public seminary for Spencer county, stating that he has in his

hands	-	-	-	-	-	\$ 5 00
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That he has loaned	-	-	-	-	-	112 00
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Also, a similar communication from John F. Sieben-
thal, trustee of the public seminary for Switzerland
county stating that he has under his control \$191 51 1-2

Which he has loaned.

Also, a similar communication from Robert Cravens,
trustee of the public seminary for Jefferson county, sta-
ting that at the time of the last report, he had in his
hands

-	-	-	-	-	\$ 82 96
---	---	---	---	---	----------

Interest on that amount	-	-	-	-	4 97 3 4
-------------------------	---	---	---	---	----------

Received since the last report	-	56 00
Making in all	-	143 93 3-4
His per cent deducted		3 35
Balance remaining in his hands		140 57 3-4

Which communications were read ; and

On motion by *Mr. Ferris*, were together with other communications on the same subject referred to a select committee composed of *Mr. Ferris*, *Sullivan* of *Knox*, *Goudie*, *Tipton* and *McDonald*.

On motion by *Mr. Clark*,

Ordered, That *Mr. Sullivan* of *Jefferson* and *Mr. Yaudes* be added to the military committee.

Mr. Powell from the committee of elections reported that the following gentlemen were elected to their seats as members of the *House of Representatives*, (to-wit.)

From the county of Wayne—Messrs. *Joseph Holman*, *Thomas Swaine*, and *Simon Yaudes*.

From the county of Franklin—*Enoch D. John*, *James Goudie*, and *Joseph Hanna*.

From the county of Dearborn—*Ezra Ferris*, and *Erasmus Powell*.

From the county of Switzerland—*Samuel Morrill*.

From the county of Jefferson—*Jeremiah Sullivan* and *Thomas Crawford*.

From the county of Clark—*John F. Ross*, *Andrew P. Hay* and *Joseph Gibson*.

From the county of Harrison—*John Tipton*, *Jacob Zenor* and *Henry Greene*.

From the county of Washington—*Samuel Milroy*, and *Marston G. Clarke*.

From the county of Knox—*George R. C. Sullivan*, -*Robert Sturgis* and *John McDonald*.

From the county of Gibson—*David Robb*.

From the county of Posey—*Charles I. Battell*.

From the county of Warrick—*Daniel Grass*.

From the county of Jackson—*William Graham*.

The committee further report that Samuel Conner the sitting member from the county of Perry, has a certificate of his election signed by the deputy sheriff of said county, and the sheriff of Spencer county; and that although the committee are convinced that the certificate is legal, yet there are other documents referred to the committee, which go to prove that John Ewing had a majority of the votes given in the said district. Therefore the committee are of opinion that John Ewing is entitled to a seat as a member of the House of Representatives, and that consequently the seat of the said Samuel Conner be vacated.

On motion,

Resolved, That the House concur in the report aforesaid, except as it relates to the seat of Mr. Conner, which is referred to a committee of the whole and made the order of the day, for this day at 2 o'clock.

The House now according to order resolved itself into a committee of the whole on the Governor's message, Mr. Sullivan of Jefferson in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Sullivan reported that the committee of the whole had according to order had the subject referred to them under consideration and had adopted the following resolutions, to wit :

1. *Resolved*. That so much of the Governor's message as relates to the purchasers of public lands within this state, be referred to a select committee consisting of a member from each senatorial district within this state to consider and report thereon.

2. *Resolved*, That so much of the message of the Governor as relates to domestic manufactures and the pecuniary embarrassments of the country, and the propriety of providing some constitutional mode of relief, be referred to a select committee with leave to report by bill or otherwise.

3. *Resolved*, That so much of the Governor's message as relates to the banks and the circulating medium

of the state, be referred to a select committee with leave to report thereon.

4. *Resolved*, That so much of the Governor's message as relates to the location of a permanent seat of government be referred to a select committee with leave to report thereon.

5. *Resolved*, That so much of the Governor's message as relates to the Jeffersonville Ohio Canal Company be referred to a select committee, with leave to call upon the company for any information that may be deemed necessary with leave to report thereon.

6. *Resolved*, That so much of the Governor's message as relates to the interchange of laws between this and other states be referred to the judiciary committee to consider and report thereon.

7. *Resolved*, That so much of the Governor's message as relates to the revenue law be referred to the committee of ways and means to consider and report thereon.

8. *Resolved*, That so much of the Governor's message as relates to the ways and means for the ensuing year be referred to the committee of ways and means to consider and report thereon.

9th. *Resolved*, That so much of the Governor's message as relates to the apportionment of the Representation in the General Assembly, be referred to a select committee.

In which resolutions he requested the concurrence of the House.

On motion,

Resolved, That the House do concur in the resolutions aforesaid—and,

Thereupon,

Messrs. Sullivan, of Knox, Grass, Robb, Milroy, Zenor, Ross, Crawford, Powell, Hanna and Yandes were appointed a committee on the said resolution first above mentioned.

Messrs. Ferris, Sullivan, of Jefferson, John, Battell,

Hay and McDonald a committee on the resolution secondly above written.

Messrs. Clark, Robb, Gibson, Merrell, Powell, Goudie and Holman a committee on the resolution thirdly above written.

Messrs. Merrell, Tipton, Swain, Clark and Sturgus a committee on the said resolution fourthly above written.

Messrs. Hay, Ross and Sullivan, of Knox, a committee on the Resolution fifthly above written.

And the House adjourned till 2 o'clock this afternoon

The House met pursuant to adjournment.

Mr. Ross, from the joint committee for enrolled bills, reported that the committee had examined

A joint resolution providing for the election of Electors for President and Vice President of the United States—and

A joint resolution adjourning the Harrison Circuit Court; and had found the same truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That Mr. Ross convey the same to the Senate, and request the signature of the President.

Mr. Tipton submitted the report of the Commissioners appointed at the last session of the legislature, to locate a permanent seat of government for the state of Indiana, together with a map of the state, furnished them by Mr. McDonald—the above report as follows:

The undersigned, Commissioners in behalf of the state of Indiana, duly appointed by the General Assembly

of said state, to select and locate a site for a permanent seat of government,

REPORT:

That, in conformity to a proclamation of JONATHAN JENNINGS, Governor of said state, the undersigned met at the house of William Conner, on the West fork of White river, and after having taken the oaths or affirmations respectively required by law, proceeded to the execution of the duties assigned them by an act of the General Assembly of the state of Indiana, entitled "an act to locate the permanent seat of government of Indiana," approved January 11th, 1820. In discharging their duty to the state, the undersigned have endeavored to connect with an eligible site the advantages of a navigable stream and fertility of soil, while they have not been unmindful of the geographical situation of the various portions of the state to its political centre, as it regards both the present and future interests of its citizens. The undersigned Commissioners, as aforesaid, in pursuance of the act of the General Assembly above mentioned, and of an act of Congress, entitled "an act to enable the people of the Indiana Territory to form a constitution and state government, and for the admission of such state into the Union upon an equal footing with the other states, and for other purposes," and also an act respecting the location of certain sections of land, to be granted for the seat of government in the state of Indiana, proceeded to select and locate, and have selected and located as a permanent site for the seat of government, for and on behalf of said state, two thousand five hundred and sixty acres of land, equal to four entire sections, being sections numbered one and twelve, east and west fractional sections numbered two, east fractional section numbered eleven, and as much of the east part of west fractional section numbered three, to be set off by a north and south line, as will complete the quantity of two thousand five hundred and sixty acres of land as aforesaid, in township fifteen, of range

three, east. Given under our hands, this 7th day of June, 1820.

*George Hunt,
John Conner,
Stephen Ludlow,
Joseph Bartholomew,
John Tipton,
John Gileland,
Thomas Emerson,
Frederick Rapp,
Jesse B. Durham.*

Attest,

B. J. BLYTHE, Clerk.

Which report having been read, was referred to the committee to whom was referred so much of the governor's message, as relates to the location of the seat of government, to consider and report thereon.

Mr. Gibson gave notice that, on to-morrow or some subsequent day of the present session, he would ask leave to introduce a bill, to restrict the issuing of fee bills by the clerks of the circuit courts, and for other purposes.

On motion by Mr. Milroy,
Resolved, That a committee be appointed to enquire into the expediency of providing by law, that Bank notes of the Banks of this state, and their Branches, which may be refused to be redeemed with specie on demand, after the first day of August next, bear an interest of five per cent. per annum, with leave to report by bill or otherwise.

The Speaker laid before the House, the following communication from the Secretary of State.

NOVEMBER 29th, 1820.

To the Honorable, the Speaker of the House of Representatives of the State of Indiana.

In conformity to an existing law of this state, the Secretary of State submits the following report:

That for the public printing, propositions were made by Messrs. Brandon and Co. and by Messrs. Cox and Nelson; which propositions were received within the time prescribed by law, neither of which were accepted or acted on, owing to a want of unanimity in the committee in selecting from the two propositions. The business was therefore suspended, under an expectation that perhaps the contract might finally be adjusted by a division of the public printing, by consent or agreement of the applicants. Other communications were afterwards received relative to the aforesaid proposals, all of which are respectfully submitted.

The Secretary of State further represents, that some three or four weeks subsequent to the first of October, two of your committee, the Secretary of State dissenting, agreed to accept the proposals of Messrs. Brandon and Co. for the whole of the printing of the present session of the General Assembly. The Secretary of State further reports, that your committee have contracted with Mr. Armstrong Brandon for stationary, at the following prices, to wit :

Letter or Post paper a \$6 00 per ream.

Writing or Cap No. 1, a 6 00 per do.

Do. do. No. 2, a 5 50 per do.

Do. do. No. 3, a 4 50 per do.

Other articles of stationary at the current retailing prices.

With William Daggs, your committee have contracted for fuel, at the rate of sixty cents per day.

Accept, sir, the assurance of the high consideration and respect with which I have the honor to be,

Your obedient servant,

R. A. NEW.

Which report was read, and with the documents accompanying, referred to a select committee, composed of Messrs. Ferris, Sullivan, of Knox, and Hay.

A message from the Senate by Mr. Drew,

Announcing that that house have adopted the following resolution, to wit:

Resolved, That each member of the General Assembly, when convened for the purpose of voting for Electors for President and Vice President of the United States, do express in words written at full length, the names of the persons voted for, and that each member vote for three Electors on the same ticket; and that the House of Representatives be requested to adopt a similar resolution.

A message from the Governor by Mr. Brandon, Announcing that his Excellency had directed him to transmit the following written message:

CORYDON, November 29th, 1820.

To the House of Representatives.

Herewith is submitted to the House of Representatives, the documents referred to in my message of the 28th instant. The paper marked A, is a copy of a communication with the state bank, and the reply thereto: and that marked B, is a copy of a circular addressed to the non-specie paying banks, with their answers, Brookville excepted, as no reply has been received from the directors of that branch bank. In addition, it will be recollected, that in December, 1821, and the next succeeding months, by contract with the state bank, on the part of the state, twenty thousand dollars of the state debt will become due and payable. The public faith should be secured from violation, while there remains any measures calculated to secure it, within the control of the General Assembly.

JONATHAN JENNINGS.

Which said communications were handed in at the clerk's table, where it and the documents accompanying, were,

On motion by Mr. Hay,

Ordered, To be referred to the committee to whom

was referred so much of the Governor's message as relates to the banks and the circulating medium of this state.

On motion,

Resolved, That four hundred copies of said communication be printed.

Mr. Ross, from the joint committee for enrolled bills, reported that,

A joint resolution adjourning the Harrison Circuit Court, and

A joint resolution providing for the electing of Electors of President and Vice President of the United States, were this day presented to his Excellency for his approval and signature.

On motion by Mr. Hanna,

The following resolution, amended on motion by Mr. Sullivan, of Knox county, was adopted, to wit:

Resolved, That the several committees on the subject of banks be discharged from the further consideration of the subjects referred to them, and that the several chairmen of said committees be added to the committee appointed on that part of the Governor's message relative to banks and the circulating medium of this state, and that all matters relative to banks, upon which committees have been appointed, be referred to said committee to consider and report thereon.

Mr. Conner submitted sundry documents, relative to the contest of his seat as a member of the present House of Representatives, which were read and referred to the committee of the whole, to whom was referred the report of the select committee on the subject.

On motion,

The House now, according to order, resolved itself into a committee of the whole. on the report of the select committee last aforesaid, Mr. Powell in the chair, and after some time spent in the consideration of the subject referred to them, the Speaker resumed the chair, and Mr. Powell reported, that the committee of

the whole had, according to order, had the same under consideration, and had directed him to report the report of the select committee, without any amendment.

And the House adjourned till to-morrow morning at 9 o'clock.

Thursday Morning, November 30, 1820.

The House met pursuant to adjournment.

A message from the Governor by Mr. Brandon, Announcing that his Excellency did, on the 29th instant, approve and sign

A joint resolution providing for the election of Electors of President and Vice President of the United States, and

A joint resolution adjourning the Harrison Circuit Court.

The House then proceeded to consider the report of the committee of the whole, to whom was referred the report of the committee of elections, as far as the same relates to the contested seat of Mr. Conner, and the question being put, Will the House concur in the report of the committee of the whole on the said subject? A division of the question being called for, the question was put, Will the House concur in so much of the report of the committee as vacates the seat of Mr. Conner? It was determined in the affirmative.

The question being also put, Will the House concur in the report so far as it declares John Ewing entitled to a seat in this House? It was determined in the negative.

The Speaker laid before the House the following communication from the Treasurer of State.

TREASURY DEPARTMENT. }

Corydon, November 29, 1820. }

SIR—I herewith transmit to you my annual report for the year 1820.

Your's respectfully,

DANIEL C. LANE, *Treasurer.*

The treasurer in obedience to the act of the General Assembly entitled an act concerning the auditor of public accounts and treasurer of state submits the following report :

That there was remaining in the hands of the treasurer on the 4th day of December 1819 the sum of - - - - - \$ 57 78 1.2

That from the 4th of December 1819 to the 27th of November 1820 there has been received on loan the sum of 4,000 00

Within the period above mentioned there has been paid into the treasury by sundry sheriffs for taxes due the state for the year 1819, and for arrearages of taxes due for prior years the sum of - - - 14,276 92

From the sheriffs of Knox county for taxes becoming due for the year 1820 1,174 31
From Joel D. Thomasson collector &c. 130 00

Since the commencement of the state government to this date there has been received from the superintendants of Rock and Reces' licks the sum of 281 00

Making in all the sum of 19,920 01 1.2

Within the periods above mentioned there has been paid at the treasury in discharge of the contingent expenses of government 773 89

In the payment of the officers of the executive the sum of - - - 2,220 00

In the payment of the members of the general assembly and incidental expenses attendant thereon the sum of - - - 336 17

In payment for wolves destroyed the sum
of - - - - - 496 00

In payment of the interest on the loan the
sum of - - - - - 3,105 00

Making the sum total of 19,773 05

Leaving a balance in the hands of the
treasurer on this day of 146 96 1-2

There has been paid by the Governor of the state of
Indiana to the treasurer of the Jeffersonville Ohio Canal
Company the sum of five thousand dollars as per tripli-
cate receipts on file in my office.

All of which is respectfully submitted.

DANIEL C. LANE, *Treasurer.*

Also the following communication from the auditor
of public accounts.

AUDITOR'S OFFICE.

Corydon, November 29, 1820. }

*To the honorable the Speaker,
of the House of Representatives.*

SIR—In obedience to an act of the General Assem-
bly entitled an act concerning the auditor of public ac-
counts and the treasurer of state, I herewith transmit
my annual report :

I have the honor to be,
very respectfully
your's &c.

W. H. LILLY,

Aud. Pub. Accts.

The auditor of the treasury, in obedience to an act
of the General Assembly entitled an act concerning the
auditor of public accounts and the treasurer of state sub-
mits the following report :

There was a deficiency of monies to meet
the claims audited up to the 4th of Decem-
ber as per a former report of 1,009 85 1-4

Since that period there has been audited
in the liquidation of the accounts of the ex-
ecutive officers the sum of - - 2,320 00

In liquidation of the accounts of the judi-
ciary officers the sum of - - 4,923 50

In liquidation of the accounts of the last
General Assembly, and incidental expen-
ses attendant thereon the sum of 7,799 28

In liquidation of the militia expenses 286 17

In liquidation for wolf scalps, the sum 498 00

In liquidation of the contingent expen-
ses of government the sum of 783 89

In liquidation of interest arising on pub-
lic loans from the state bank. 3,105 00

Amount total - - - 20,715 69 1-4

There has been received from sundry
sheriffs from the 5th Dec. 1819 to the 27th
November 1820, exclusive the sum of 15,593 23

From the state bank on loan - 4,000 00

From Elisha Denny superintendant of
Rock lick section the sum of 221 00

From Alexander Little superintendant of
Reces' lick section the sum of - 60 00

From Joel D. Thomasson collector of a
public debt due the state by sundry citizens
of Harrison county the sum of - 130 60

Amount total - - - 20,715 69 1-4

Amount due and unpaid from several
counties for the year 1817, 1818, 1819 3,948 54

From duplicate returns the taxes of 1820
exclusive of the sheriffs' commission for
collecting, amounts to the sum of - 9,484 16

Amount total, - - 13,482 70

And from the counties of Crawford, Posey, Wash-

ington, Sullivan, Pike, Jefferson, Monroe, Martin and Scott no duplicates having been received for 1820, no estimate can therefore be made of revenue that may be derived from thence.

No correct estimate can be made of the probable collection of debts due from the several counties.

Letters in several instances have been addressed to the proper officers intrusted with collections, to which no answers have been received, and from the circumstance of there having been special collectors of taxes appointed in several counties it is believed that more failures will accrue than ordinarily.

The judgment of the Harrison circuit court against sundry citizens of Harrison county for one thousand dollars has been reversed in the Supreme court, one hundred and thirty dollars of which has however been received, which is reported herewith.

It is respectfully submitted whether (as the original bond executed by said citizens is found) a suit at common law should be again instituted.

There will be in addition to the demands already due by the state the sum of sixteen hundred and forty dollars due the 1st January 1821 for interest arising on loans

There has been filed in this office by his Excellency the Governor, a duplicate receipt for ten thousand dollars received from the United States being a part of the three per cent fund arising from the sale of public lands lying within this state, also duplicate receipts from the treasurer of the Jeffersonville Ohio Canal Company for five thousand dollars being the amount paid in on the stock subscribed for on the part of the state.

Respectfully submitted:

WM. H. LILLY,

Aud. Pub. Accts.

Mr. Robb introduced a resolution to adjourn the le-

gislature to Charlestown in Clark county which having been read,

On motion,

The further consideration thereof was postponed till Tuesday next.

Mr. Milroy from the committee to whom was referred the petition praying an alteration in the boundary line between the counties of Scott and Washington reported,

A bill arranging the line between the counties of Washington and Scott; which was read and passed to its second reading on to morrow.

A message from the Senate by Mr. Slaughter announcing that the Senate have adopted the following resolution to-wit:

Resolved, That a committee on the part of the Senate be appointed to act with a similar committee to be appointed on the part of the House of Representatives to call on the cashier of the branch bank at Corydon for all the information he is in possession of relative to the organization of the said branch bank and that he state particularly if he can, what three counties were specially embraced in locating the said bank, and how much stock was subscribed for by persons in said three counties and the names of the persons by whom the same was subscribed, and how much in said three counties has actually been paid in, in specie & the names of the persons who paid in the same; also what was the amount of stock paid in, in specie when said branch bank went into operation, and what is the amount of specie now in the vaults of said bank and by whom the same was deposited and for what purpose, whether as a special deposit or otherwise, and the amount of debts due said bank sperate and desperate, and

Be it further resolved, That the said committee produce a report of the amount of paper, paid out by said institution, and that if the stock or any part thereof has been transferred by the original subscribers, learn to

hown such stock has been transferred, and by whom, and also to make any other enquiry which the said committee may deem necessary, and that the Senate have appointed Messrs Slaughter, Daniel, Drew, and Harrison a committee on their part.

Mr. Sullivan of Knox from the committee to whom was referred the report of the secretary of state, with the accompanying documents on the subject of public printing, reported that the committee are of opinion that the contract entered into with Messrs. Brandon and Co was made and entered into at a period later than the law authorises ; therefore that there is no legal contract.

Resolved, That the House concur in said report.

On motion by Mr. Sullivan of Knox,

Resolved, That a committee be appointed to act with a committee on the part of the Senate to contract for the public printing.

Messrs. Sullivan of Knox, Ferris, and Clark were appointed that committee.

The rule being dispensed with Mr. Sullivan of Knox had leave to introduce a bill to authorize the associate Judges of Martin county to appoint a clerk in vacation.

Which bill, the rules being dispensed with, was twice read, and

Ordered, To be engrossed for a third reading on tomorrow.

The House now proceeded to consider the resolution from the Senate, on the subject of the election of President and Vice President of the United States, and,

On motion,

Resolved, That the House do refuse to concur in said resolution—and,

On motion by Mr. Sullivan, of Knox,

Resolved, That an election for Electors of President and Vice President of the United States be had this day, at two o'clock, and that only one Elector be voted for at the same time ; and that the Senate be requested to adopt a similar resolution.

Ordered, That Mr. Sullivan, of Knox, inform the Senate, and request their concurrence.

On motion by Mr. Merrell,

Resolved, That the clerk of the House of Representatives be instructed to inform his Excellency the Governor, that the seat of Samuel Conner, a member of this House from Perry county, has been vacated, and request his Excellency to issue a writ of election for the purpose of filling said vacancy.

Mr. Tipton, pursuant to notice, introduced a bill for the relief of sheriffs, which was read and passed to its second reading on to-morrow.

The Speaker laid before the House a communication from Patrick Callen, trustee of the public seminary for Lawrence county, from which it appears that he has in his hands \$114 31 1-2.

Also, a similar communication from Beale Butler, trustee of the public seminary for Wayne county, stating that since his last report he has received 66 78 1-4

His per centum, at 6 per cent, - - 4 00

Balance,

68 78 1-4

He states that fourteen dollars of the above is paper upon the Bank of Cincinnati, and of not more than half the nominal value.

The House adjourned till one o'clock.

The House met pursuant to adjournment.

On motion by Mr. Hay,

Resolved, That the report of the auditor and treasurer be referred to the committee of Ways and Means.

Mr. Hay, pursuant to notice, introduced a bill to repeal an act, entitled an act to amend an act, entitled an act subjecting real and personal property to execution, which was read and passed to its second reading to-morrow.

Mr. Ferris, pursuant to notice, introduced a bill to

repeal an act, entitled an act defining seals to be affixed to instruments of writing and for other purposes, which was read, and passed to its second reading on to-morrow.

Mr. Holman presented the petition of sundry inhabitants of the county of Randolph, praying relief for a blind man, which was read and referred to a select committee, composed of Messrs. Holman, Goudie and Tipton, to consider and report thereon.

Mr. John presented the petition of sundry inhabitants of Franklin county, praying the passage of a law to prevent the disturbance of religious assemblies—which was read and referred to the committee to whom was referred the petition from Wayne county on the same subject, Mr. John being added to that committee.

A message from the Senate by Mr. Polke,

Announcing that the Senate have concurred in the resolution of this House, respecting the election of electors for President and Vice President of the United States.

A message from the Senate by Mr. Harrison,

Announcing that they are now ready to meet the House of Representatives in the Representative Chamber, to vote for Electors for President and Vice President of the United States; and that Mr. Harrison is appointed teller on their part.

Ordered, That Mr. Hay be appointed teller on the part of this House.

Pursuant to the above arrangement, the Senate now convened in the Representative Chamber, and proceeded to vote for three Electors for President and Vice President, and after all the members of both Houses had voted, the Secretary of the Senate and Clerk of the House of Representatives having each signed two several statements of the number of votes received by each candidate, and having handed the same to the President of the Senate, it appeared that Daniel I. Caswell, John H. Thompson and Nathaniel Ewing only, had

each of them a majority of the votes given; and that they each had a greater number of votes for said office of Elector than any other candidate.

Whereupon,

The said Daniel I. Caswell, John H. Thompson and Nathaniel Ewing were severally declared by the President of the Senate, in presence of both houses, duly elected to the office of Electors for President and Vice President of the United States.

And the Senate then returned from the Representative Chamber.

On motion by Mr. Clark,

Resolved, That a committee be appointed to enquire into the expediency of reducing the salaries and fees of all the officers of government except such as cannot be diminished consistently with the constitution of this state—and,

Thereupon,

Messrs. Clark, Sturgus and Ross were appointed that committee.

And the House adjourned till to-morrow morning at 9 o'clock.

Friday, December 1, 1820.

House met pursuant to adjournment.

On motion by Mr. Sullivan, of Jefferson,

Resolved, That the joint committee heretofore appointed on the subject of public printing, be instructed to enquire into the practicability of having the Journals of both Houses of the General Assembly published from day to day, or as soon thereafter as possible.

On motion by Mr. Powell,

Resolved, That a committee be appointed to enquire what amendments, if any, are necessary to be made to the several acts regulating the jurisdiction and duties of justices of the peace.

A message from the Governor by Mr. Brandon,
Announcing that he is instructed by his Excellency
to communicate to the House of Representatives the
following message:

To the House of Representatives.

The document presented with this communication, represents complaints existing on the account of a supposed inattention in the discharge of the duty of the office of Adjutant General, and the officer entrusted therewith, is desirous that an examination should take place by the Representatives of the people. In the discharge of public trusts, it is due to those charged with responsibility, to examine into their official conduct, when complaints are made, and to determine whether they are worthy of censure, and it is equally due to public welfare, that neglect of duty, whether required or not, should be investigated. By reference to the dates when the returns have been received, of the elections of militia officers, and a comparison with the dates of the applications from the Adjutant General's office to the Secretary of State for commissions, as well as the records of the dates when such commissions were executed, will afford ample evidence, with some explanations in reference to the alledged charges.

The connection between the office of Adjutant General and that of Secretary of State, is inseperable, in relation to the commissions of a military character, which are frequently required. The punctuality and attention with which the duties of the Adjutant General's office have been discharged, so far as necessarily comes within my observation, compels me to conclude that, upon examination, the causes of complaint will, if located, be found to have had their origin in the office of the Secretary of State. Within my own knowledge, instances of gross neglect and direct carelessness have transpired, and whatever may have appeared from a slight examination of his office from November, 1818,

to the month of September, 1819, there was no regular entry made upon his record book, nor from November 5th, 1819, the date to which the Secretary had progressed with his record when a committee of the General Assembly at their last session examined his office, there was not an entry on that record on the first of August last.

An examination is recommended into the complaints and charges alluded to, on the part of the General Assembly.

JONATHAN JENNINGS.

December 1st, 1820.

ADJUTANT GENERAL'S OFFICE, }
Corydon, Nov. 29, 1820. }

His Excellency Jonathan Jennings,

SIR—As some dissatisfaction exists in relation to this office, and complaints have recently been made of the management and proceedings therein, I have thought it a duty which I owe to myself and the community generally, to solicit through your Excellency an examination into and exposure to the world of the condition and proceedings of said office, so that the truth or falsehood of the alledged complaints may be fairly tested by an ingenious public.

I am, sir, with considerations of respect,
your obedient servant,

STEPHEN RANNY,
Adjutant General.

The above communications were read, and,

On motion,

Ordered, to be referred to the committee on military affairs, to consider and report thereon.

The Speaker laid before the House the following communication from the Auditor and Treasurer.

CORYDON, December 1st, 1820.

*To the Honorable, the Speaker
of the House of Representatives,*

We, the undersigned, two of the committee entrusted to contract for the public printing, did receive propositions for the performance of the same from Messrs. Cox and Nelson, also, from Messrs. Brandon and Co. which propositions were, on or about the 1st day of October last, unsealed in the presence of the whole committee. There was a requisition of money in advance in Messrs. Cox and Nelson's proposals, and an additional charge in Messrs. Brandon and Co's. proposals for ruled and figured work. It was then, without dissention, agreed that the adoption of either propositions should be suspended for a time, and that a correspondence should be had with each of the editors, in explanation of their respective propositions. There was this additional reason, which prompted a majority of the committee not to close the contract on the day the law would seem to require. It was believed beneficial to the state to divide the contract between the two only applicants.

At a subsequent meeting of the Committee it was unanimously thought surpassing the pale of our authority to divide the contract, especially without the leave of the applicants, and no such leave being obtained, the only question with the committee to determine, was who should have the contract from the propositions offered. The Auditor was first required to give his vote, which, after assigning for reason that there was little or no difference in the proposals, taken all together, and in point of local advantages, adjudging in favor of Brandon and Co. voted accordingly.

The Secretary of State being next requested to make a selection, without assigning his reason, signified his wish by voting for Cox and Nelson.

The Treasurer agreeing in opinion with the Auditor, the proposals of Brandon and Co. were accordingly

selected. We deemed it our duty, thus in a short communication, to give the Legislature our reasons for the contract made. The committee would have been much gratified to be relieved from the duty of contracting, but it having been assigned them by the last Legislature, they proceeded to discharge the trust reposed, as they believed most conducive to the general interests of the state.

We have the honor to be,

Very respectfully, yours, &c.

WILLIAM H. LILLY,

Auditor of Public Accounts.

DANIEL C. LANE,

Treasurer of State.

Which communication was read and laid on the table.

Mr. Hay submitted the remonstrance of George White remonstrating against the prayer of the trustees of the town of Jeffersonville on the subject of a ferry, which having been read was referred to the committee to whom was referred the said petition.

A message from the Senate by Mr. Slaughter announcing that the Senate have adopted the following resolution to-wit :

Resolved, That the House of Representatives be requested to furnish the Senate with the proposals made by different Editors and the contract made with Brandon and Co. for the public printing of the present General Assembly.

On motion by Mr. Sullivan of Knox,

Resolved, That the communications from the auditor, treasurer and secretary of state on the subject of public printing be handed to the secretary of the Senate.

On motion,

Ordered, That Messrs. Zenor, Sturgus and Hanna, be added to the committee on public printing.

On motion by Mr. Robb,

Resolved, That a committee be appointed to enquire

into the expediency of repealing the act entitled an act for the benefit of debtors, approved 28th Dec. 1818, and of providing by law that no paper shall be deemed current except the notes of such chartered banks as pass generally at par, in the vicinity and redeem their notes with specie, when presented and demanded, and that they have leave to report by bill or otherwise.

On the question of the adoption of the said resolution the ayes and noes being demanded, by Messrs. Sullivan of Knox, and Robb, those who voted in the affirmative were,

Messrs. Clark, Crawford, Gibson, Goudie, Grass, Green, Hanna, Holman, John, McDonald, Milroy, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Swaine, Tipton, Yandes, & Zenor.

Those who voted in the negative were,

Messrs. Ferris, Hay and Merrell.

Messrs. Robb, Ross and Powell, were appointed a committee on said resolution

On motion by Mr. Milroy,

Mr. Sullivan of Knox is added to the committee of ways and means.

On motion by Mr. John,

Resolved, That the judiciary be instructed to take into consideration the expediency of reducing into one act, all the acts and parts of acts, now in force in the state, regulating the duties and powers of justices of the peace, with amendments, if any are necessary, with leave to report by bill or otherwise.

On motion,

Resolved, That the committee on the resolution heretofore introduced by Mr. Powell on the subject of the duties of Justices of the peace be discharged from the further consideration thereof, and that the same be referred to the judiciary committee to which committee Mr. Powell is added.

Mr. Tipton gave notice that he will on Monday n ex

ask leave to introduce a bill to provide for the election of constables and to regulate their fees.

On motion,

The House proceeded to consider the orders of the day and,

Thereupon,

A bill to repeal an act entitled an act to amend an act entitled an act subjecting real and personal estate to execution, approved January 7th 1818, was read a second time and referred to a committee of the whole on Wednesday next.

A bill to repeal an act entitled an act, defining seals to be affixed to instruments of writing, was read a second time and referred to a committee of the whole on Tuesday next.

A bill arranging the boundary line between the counties of Washington and Scott, was read a second time and referred to a committee of the whole on Monday next.

A bill for the relief of sheriffs was read a second time & referred to a committee of the whole on Monday next.

An engrossed bill authorizing the associate Judges of Martin county to appoint a clerk in vacation, was read a third time and passed.

On motion,

Ordered, That the same be entitled an act.

And the House adjourned till to morrow morning at nine o'clock.

Saturday Morning, December 2, 1820.

The House met pursuant to adjournment.

A message from the Senate by Mr. Harrison announcing that the Senate refuse to concur in the resolution of this House, rejecting the report of the treasurer of state, auditor of public accounts, and secretary of state, relative to a contract made with Messrs. Brandon and

Co. for the public printing of the present session of the Legislature, and appointing a committee to contract for public printing.

On motion,

Resolved, That the Senate be requested to meet the House of Representatives, in the representative chamber at 2 o'clock P. M. on Wednesday next, for the purpose of electing a Senator to represent this state, in the Senate of the United States, in room of the hon. James Noble, whose term of service expires on the fourth of March next, and also to elect a secretary of state for this state, in room of Robert A. New Esq. whose term of service expires shortly, and that the Senate be informed of the adoption of this resolution.

Ordered, That Mr. Milroy inform the Senate.

A message from the Senate by Mr. Harrison announcing that the Senate have adopted the following resolution to-wit :

Resolved by the Senate, the House of Representatives concurring therein, That they will meet the House of Representatives in the representative chamber, this day at 11 o'clock A. M. for the purpose of electing one Senator to represent this state in the Senate of the United States, for six years from and after the 4th of March next.

A message from the Senate by Mr. Drew, announcing that the Senate have adopted the following resolution, to-wit :

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee to be appointed on the part of the House of Representatives, to enquire into the contract made by the secretary of state, auditor of public accounts, and treasurer of state, with Messrs. Brandon and Co. for the public printing, and to learn when and on what terms, said contract was made, and that they report the result of their enquiries to their respective houses; and that the Senate have ap-

pointed Messrs. Drew, Slaughter, and Harrison a committee on their part.

Mr. Tipton submitted the following resolution to-wit:

Resolved, That this House appoint a committee to act with a similar committee appointed on the part of the Senate, to call on the cashier of the Corydon branch bank, and examine how much specie is in said bank, owned by it; how much is on special deposit or otherwise: how much paper is in circulation, payable at said bank, and for all other information they can obtain relative to the solvency of said bank, which the cashier can consistently give, and that they report the same as speedily as possible; and,

Thereupon,

Mr. Ross moved to amend the said resolution by striking it out from the word resolved, and inserting the following to-wit:

That a committee be appointed to act with the committee appointed on the part of the Senate to call on the cashier of the branch bank at Corydon, for all the information he is in possession of, relative to the organization of said branch bank, and that he state particularly if he can, what three counties were specially embraced in locating the said bank, and how much stock was subscribed for by persons in said three counties: the names of the persons by whom the same was subscribed, and how much in said three counties, has been paid in specie, and the names of the persons who paid the same; also what was the amount of stock paid in bank, in specie, when the said branch bank went into operation, and what is the amount of specie now in the vaults of said bank and by whom the same is deposited, and for what purpose: whether as a special deposit or otherwise, and the amount of debts due said bank, separate and desperate, and the names of the debtors and the amount of the responsibilities both as drawers and endorsers, and

Be it further resolved, That the said committee procure a report of the amount of paper out by said institution, that if the stock or any part thereof, have been transferred by the original subscribers, learn to whom such stock has been transferred, and by whom, and also, to make any other enquiry which the said committee may deem necessary. and that they have leave to report to their respective houses.

Mr. Sullivan of Knox moved that the further consideration of the said resolution be postponed till Monday next, and the ayes and noes being demanded by Messrs. Ross and Milroy, those who voted for the postponement, were—

Messrs. Ferris, Greene, Hay, Merrell, and Sullivan of Knox—5.

Those who voted against the postponement were,

Messrs. Clark, Crawford, Gibson, Goudie, Hanna, Holman, John, McDonald, Milroy, Powell, Robb, Ross, Sturgis, Sullivan of Jefferson, Swaine, Tipton, Yandes and Zenor—18.

Mr. Tipton then withdrew his resolution.

Mr. Ross then offered the aforesaid amendment as an original resolution—and,

Mr. Robb moved the following as an amendment to the said resolution as offered by Mr. Ross:

And that the said committee be directed to endeavor to obtain information of the particular date at which such debt to the bank accrued; the amount thereof, and a list of the names of persons who have been directors, and of the dates they were elected, and of the dates they went out of office.

The previous question being called for by three members—the question was put,

Shall the main question now be put?

And the Ayes and Noes being demanded by Messrs. Sullivan, of Knox, and Robb, those who voted in the affirmative were,

Messrs. Clark, Crawford, Gibson, Goudie, Green,

Hanna, Holman, John, McDonald, Merrell, Milroy, Powell, Ross, Swaine and Zenor—15.

And those who voted in the negative were,

Messrs. Ferris, Hay, Robb, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Tipton and Yandes—7.

The question was then put,

Shall the resolution, as it stands amended by the motion of Mr. Ross, be adopted? And the Ayes and Noes being demanded by Messrs. Robb and Ross, those who voted in the affirmative were,

Messrs. Clark, Crawford, Gibson, Goudie, Green, Hay, Hanna, Holman, John; McDonald, Merrell, Milroy, Powell, Robb, Ross, Sullivan of Jefferson, Sullivan of Knox, Swaine, Tipton and Zenor—21.

Messrs. Ferris and Yandes voted in the negative.

And so the resolution was adopted.

Mr. Merrell, pursuant to notice, introduced a bill to amend an act subjecting real and personal estate to execution, which was read, and passed to its second reading on Monday next.

On motion by Mr. Milroy,

Resolved, That a committee be appointed to enquire into the official conduct of Basil Prather, clerk of the Washington circuit court, and report to this house whether sufficient grounds of impeachment exist against him; and that said committee have power to send for persons and papers to aid the said investigation.

And Messrs. Milroy, Clark, Sullivan of Knox and Sullivan of Jefferson, were appointed that committee.

Mr. Hay introduced a joint resolution fixing a place for the Electors of President and Vice President of the United States to meet to vote for the same.

Which (the rule being dispensed with) was twice read, and ordered to be engrossed and read a third time on Monday next.

Mr. Holman, from the committee to whom was referred the petitions from the counties of Franklin and Wayne, on the subject of the disturbance of religious

societies, reported that the committee had, according to order, had the same under consideration, and had directed him to report a bill to prevent the disturbance of religious societies.

Which bill he handed in at the clerk's table, where it was read, and passed to its second reading on Monday next.

Mr. Ross, from the committee on that part of the Governor's message relative to an interchange of laws with other states, reported that the committee had, according to order, had the said subject under consideration, and had directed him to report a joint resolution on that subject.

Which joint resolution he handed in at the clerk's table, where it was read, and passed to a second reading on Monday next.

On motion by Mr. Sullivan of Knox,

Resolved, That the committee on the subject of the office of the Secretary of State, be authorised to request the Adjutant General or his Deputy and the Governor of the state, to attend upon the committee when examining said office.

Mr. Yandes presented the petition of David Newbury and others, praying an extension and alteration of the boundary line of Fayette county, which was read, and,

On motion,

Referred to a select committee composed of Messrs. Yandes, John Holman, McDonald, Battell, Goudie, Hanna and Swaine.

And the House adjourned till 4 o'clock.

The House met pursuant to adjournment.

Mr. Holman, from the committee to whom was referred the petition on behalf of a blind man of Randolph county, reported that the committee had directed him to prepare and bring in a bill for the relief of James

McCoale ; which bill he handed in at the clerk's table—and,

On motion by Mr. Sullivan of Knox,

Resolved, That the further consideration of the said bill be indefinitely postponed.

Mr. Hay, from the committee to whom was referred the petition praying a charter of incorporation for the grand lodge of Indiana, reported that the committee had, according to order, had the same under consideration, and had directed him to prepare and bring in a bill for the benefit of the grand lodge of Indiana.

Which bill he handed in at the clerk's table, where it was read—and,

On motion by Mr. Sullivan, of Jefferson,

Resolved, That the said bill be re-committed to the committee who reported it, with instructions so to amend it as to strike out of the bill that part of it which makes the Lodges a corporate body, and further so to amend the bill as to authorize the Lodges and Chapters therein named to receive each a deed for one acre of land.

On motion by Mr. Hay,

Ordered, That Messrs. Sullivan of Jefferson, and Sullivan of Knox, be added to that committee.

On motion by Mr. Ross,

Resolved, That the committee appointed to draft and report rules for the regulation of this house, be instructed to act with a committee who may be appointed on the part of the Senate, and prepare and report to their respective houses joint rules for the government of both houses.

Ordered, That Mr. Sullivan of Knox, inform the Senate thereof.

And on motion,

The House adjourned till Monday morning at 9 o'clock.

Monday, Decèmbër 4th, 1820.

The House met pursuant to adjournment.

Mr. Chambers, a representative from Orange county, appeared, produced his credentials, was sworn into office and took his seat in the Representative Chamber.

A message from the Senate by Mr. Polke,

Announcing that the Senate have passed an engrossed bill, which originated in this house, entitled an act to authorise the associate judges of Martin county to appoint a clerk in vacation, with an amendment, in which they desire the concurrence of this house.

The house by common consent concurred in the amendment aforesaid.

Ordered, That Mr. Sullivan of Knox, inform the Senate thereof.

Mr. Sullivan of Knox, from the committee appointed on the subject of rules for this house, reported that the committee had, according to order, had the said subject under consideration, and had directed him to prepare and submit as rules for this house, the rules adopted by this house in the year 1818, with sundry amendments; which amendments he handed in at the clerk's table, where they were read—and,

On motion by Mr. Sullivan of Knox,

Ordered, To be referred to a committee of the whole house and made the order of the day for this day.

Mr. Crawford submitted the petition of William P. Mitchel, praying relief from certain injuries therein named; which was read—and,

On motion,

Ordered, To be referred to a select committee.

And messrs. Crawford, Hanna and Zenor were appointed that committee.

A message in writing from the Governor, by Mr. Brandon, which was read, and is as follows, to wit:

CORYDON, December 4th, 1820.

To the House of Representatives.

Herewith I transmit you a copy of the reply of the Brookville branch bank, to my letter of the 2d Sept.

Respectfully, yours, &c.

JONATHAN JENNINGS.

The communication from the Brookville branch bank alluded to in said message, was read and referred to the committee on the subject of banks generally.

Mr. Ross, from the committee to whom was referred the subject of amendments necessary to the several acts regulating the duties and jurisdiction of justices of the peace, reported that the committee had, according to order, had the said subject under consideration, and had directed him to prepare a bill; entitled a bill to amend an act, entitled an act regulating the duties and jurisdiction of justices of the peace.

Which bill he handed in at the clerk's table, where it was read and passed to a second reading on to-morrow.

Mr. Ross, from the committee to whom was referred the petition of Reuben W. Nelson, attorney in fact for the Trustees of the town of Jeffersonville, submitted the following report:

The committee to whom was referred the petition of the Trustees of the town of Jeffersonville, praying an act to establish a ferry for their benefit, and the documents accompanying the same, and also the remonstrance of George White against the said petition, report—that they have had the subject under consideration, and from an investigation of the subject, it appears that in the year 1802, Isaac Bowman, by John Gwathmey, his attorney in fact, laid off the town of Jeffersonville, and appointed certain persons trustees thereof, to whom he, by deed in fee, 150 acres of land, in lots comprising the town of Jeffersonville, to be sold and disposed of by said trustees, for the benefit of said Bow-

man, in which transfer or conveyance, the said Bowman expressly reserves to himself the right which he then had as proprietor of the soil, to establish one or more ferries from said land across the Ohio river. The legal effect of which reservation is, in the opinion of your committee, not for them now to determine, but more properly belongs to a judicial tribunal to decide.

Independent of this consideration, however, your committee have examined the statute of this state, entitled, an act to establish and regulate ferries, and an act supplemental thereto, in which it seems the legislature have authorized the board of commissioners in the several counties in this state to establish ferries whenever it may be necessary or expedient. And your committee see no good reason why this application was not made to the board of county commissioners of Clark county, who would no doubt have granted the ferry applied for if public convenience required it; and if application should be made, and the county commissioners refuse to do justice, the applicants have their right of appeal to the highest judicial tribunal in the state for redress. Your committee are of opinion that the subject matter of this application is a proper subject for the consideration of a judicial tribunal, and ought not to consume the time of the General Assembly. Your committee is, therefore, of opinion that the prayer of the petitioners is unreasonable and ought not be granted.

Which report was read and ordered to lie on the table.

Mr. Milroy gave notice that, on to-morrow or some succeeding day of the present session, he will ask leave to introduce a bill to allow John De Pauw additional time to erect a slope on the dam by him erected on the river Muschacetuck.

Mr. Ferris submitted the petition of Jacob Blasdel and others praying an additional county levy, for the county of Dearborn, which was read and referred to the committee of Ways and Means.

On motion by Mr. Sullivan of Knox,

Resolved, That the judiciary committee be instructed to enquire into the expediency of amending the act authorizing the granting of letters testamentary and letters of administration for the settlement of intestates' estates and for other purposes, so as to authorise executors and administrators, to declare either a testate or intestate insolvent; in order that the creditors shall have the estate in proportion to their respective demands.

Mr. Sullivan of Jefferson county submitted the petition of Maurice Baker, sheriff of Jennings county praying relief, which was read and referred to a select committee composed of Messrs. Sullivan of Jefferson, Merrell and Battell.

On motion by Mr. Ross,

Resolved, That the committee on the subject of public lands be instructed to prepare and report to this House a memorial to Congress praying a removal of the restriction to tax land, which may be purchased and paid for, from and after the 1st. day of January 1821, which restriction is imposed by an act of Congress approved April 19th 1816.

Mr. Merrell introduced the petition of John Francis Siebenthal, praying relief, which was read, and

Ordered, To lie on the table.

A message from the Governor in writing by Mr Brandon.

CORYDON, Dec. 4th 1820.

To the House of Representatives.

It will be recollected that during the last session of the General Assembly, copies of a correspondence between the Acting Governor of Kentucky and myself, were submitted to your consideration, relating to a demand upon his Excellency for certain fugitives from the justice of this state.

At the close of the last session the demand was renewed, but the delivery of the fugitives was ultimately

refused notwithstanding the assurances previously given.

Copies of the correspondence are now submitted.

JONATHAN JENNINGS.

Which with the copies of the correspondence therein alluded to were read, and

Ordered, To be referred to the judiciary committee.

Mr. Powell gave notice that he will on Wednesday next ask leave to bring in a bill to provide for the collection of fines in certain cases.

On motion by Mr. Ferris,

Resolved, That the judiciary committee be instructed to enquire into the propriety of providing by law that no person shall be permitted to commence suit in court without first giving security for costs.

A message from the Senate by Mr. Bartholomew announcing that the Senate have passed an engrossed bill entitled an act for the relief of George White, which bill he handed in at the clerk's table, where it was read and passed to its second reading on to morrow.

On motion by Mr. Powell,

Resolved, That the election certificate of Mr. Chambers, who this morning took his seat as a member of the house be referred to the committee on elections.

Mr. Tipton submitted the petition of the trustees and sundry citizens of the town of Corydon, which was read and referred to a select committee composed of Messrs. Tipton, Zenor and Ferris.

Mr. Ferris gave notice that he will on to morrow ask leave to bring in a bill to appoint commissioners to run and mark the road authorized by an act of the last General Assembly from Lawrenceburgh to the seat of government.

On motion by Mr. Sullivan of Jefferson.

Resolved, That the judiciary committee be instructed to enquire what amendments (if any) are necessary to the act respecting crimes and punishments, approved January 29th 1818.

On motion by Mr. Milroy.

Resolved, That the committee on the subject of the public lands be instructed to enquire into the expediency of memorializing Congress, requesting that body to authorize the General Assembly of this state to dispose of the reserve sections of land in this state, known by the names of Reces and Rock lick section in Washington county and Double lick section in Dearborn county.

Mr. Tipton pursuant to notice introduced a bill to provide for the election of constables ; which was read and passed to its second reading on to-morrow.

On motion by Mr. Gibson,

Resolved, That a committee be appointed to enquire if any and what amendments are necessary to the act regulating mills and millers.

Messrs. Gibson, Ross and Chambers were appointed that committee.

Mr. Ferris submitted the following resolution.

Resolved, That the committee of elections be instructed to enquire into the expediency of amending the laws of this state regulating elections, so that free white male persons, born without the jurisdiction of the United States, who have been residents in this state for one year and have declared their intention of becoming citizens thereof and who have taken the oath of allegiance shall be entitled to vote.

The question on the adoption of said resolution being put the ayes and noes were demanded by Messrs Ferris and Robb,

Those who voted in the affirmative were

Messrs. Chambers, Ferris, Goudie, Hanna, Holman, Milroy, Powell, Ross, Sturgus, Swaine and Yandes—11.

Those who voted in the negative were

Messrs. Battell, Crawford, Gibson, Grass, Hay, M^r Donald, merrell, Robb, Sullivan of Jefferson, Sullivan of Knox, Zenor and Graham Speaker—13.

And the resolution was not adopted.

On motion,

The House now proceeded to consider the orders of the day.

A joint resolution on the subject of an interchange of statute laws was read a second time and referred to a committee of the whole House on to morrow.

A bill to amend an act subjecting real and personal estate to execution, was read a second time and referred to a committee of the whole on Wednesday next.

A joint resolution fixing a place for the Electors of President and Vice-President of the United States to meet to vote for the same, was read a third time and passed.

Ordered, That Mr. Hay inform the Senate, and
The House adjourned till three o'clock P. M.

The House met pursuant to adjournment.

A message from the Senate by Mr. Daniel, announcing that the Senate have adopted a joint resolution authorizing the Governor of this state to make a particular enquiry into the situation of the banks of this state.

Ordered, That the same lie on the table.

A bill to prevent the disturbance of religious assemblies, was read a second time, and

On motion,

Ordered, To be referred to a committee of the whole on to morrow.

The House according to order resolved itself into a committee of the whole on the report of the select committee appointed on the subject of rules for the regulation of this House,

Mr. Merrell in the chair,

And after some time spent in the consideration of the said subject, the Speaker resumed the chair and,

Mr. Merrell reported that the committee of the whole had according to order had the report of the select committee under consideration, and had directed him to re

port that the committee of the whole, had adopted as rules for this House, during the present session the rules adopted by the House of Representatives, at their session of the year 1818, with the following amendments :

6th Rule stricken out and the following inserted.

Rule 6. The Speaker shall have a general direction of the Representatives' room. He shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. He shall have the right to name any member to bear messages to the Senate, and to appoint all committees subject to such additions as may be made on motion.

7th rule stricken out and the following inserted.

Rule 7. The Speaker shall vote in all elections by ballot, and when the ayes and noes are called for, he shall vote his name being called last, and in case of an equal division, the question shall be lost.

And upon all other questions, where the House shall be equally divided he shall give the casting vote, or when his vote would make an equal division, he shall vote upon the call of any member.

The following added to the 11th rule.

And no member shall impeach the motives of any other member's vote or argument.

35th rule stricken out and the following inserted.

Rule 35. Every bill or joint resolution shall be introduced by motion for leave.

In which report he asked the concurrence of the House.

On motion,

Resolved, That the House do concur in said report of the committee of the whole.

On motion,

Ordered, That the clerk engross the said rules with the amendments adopted, and that he correct any typographical errors therein.

On motion,

Resolved, That the further consideration of the orders of the day be postponed till to-morrow.

Mr. Gibson pursuant to notice introduced a bill to restrict the issuing of fee bills and for other purposes; which was read and passed to its second reading on to-morrow.

Mr. Hay presented the petition of Reuben W. Nelson, praying an enquiry into the official conduct of Jacob Brookheart, a justice of peace for Clark county.

Which was read and referred to a select committee composed of Messrs. Hay, Sullivan of Knox, Sullivan of Jefferson, Battell and Merrell, with power to send for persons and papers to prosecute the necessary investigation.

Mr. Tipton presented the petition of David Locke and others praying the formation of a new county; which was read and referred to the committee, to whom was referred the petition from the county of Delaware on a similar subject.

Mr. Sullivan of Knox county presented the petition of sundry inhabitants of the counties of Sullivan and Daviess praying the formation of a new county, and a remonstrance against the same.

Which was read and,

On motion,

Ordered, To be referred to the committee to whom was referred petitions heretofore introduced on the same subject.

On motion,

Ordered, That Mr. Sullivan of Jefferson be added to the committee heretofore appointed on the subject of mills and millers.

Tuesday Morning Dec. 5, 1820.

The House met pursuant to adjournment.

On motion by Mr. John,

Resolved, That a committee be appointed to take in-

to consideration the expediency of prohibiting by law, the introduction into this state of all spiritous liquors, manufactured without the United States, and also the introduction of cloths both fine and superfine, as well as every other article of foreign manufacture, the use of which can be conveniently dispensed with, by imposing a tax on the vendor or buyer or requiring a license to be obtained in such a manner as will amount to a prohibition; and also that the introduction of the bank bills or notes issued by any bank or banking company or loan office, without this state, that is or will not be received in land offices within this state in payment for lands, with leave to report by bill or otherwise.

Messrs. John, Ferris, Clark, Robb, and McDonald, were appointed that committee.

Mr. Milroy pursuant to notice asked and obtained leave to bring in a bill for the benefit of John De Pauw.

Which was read and passed to its second reading on to-morrow.

Mr. Powell from the committee of elections to whom was referred the election certificate of Samuel Chambers a member elect from Orange county, reported

That the committee had according to order, had the same under consideration, and that it appears that the said Samuel Chambers is duly elected, to represent said county for the year 1820, consequently entitled to a seat in this House as such,

On motion,

Resolved, That the House concur in said report.

Mr. Robb from the committee to whom was referred the petition of William P. Mitchell and others praying a redress of certain grievances therein named, reported

That the committee have had the said subject under consideration and that the prayer of the petitioners is unreasonable and ought not to be granted.

On motion by Mr. Milroy,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the

criminal code of this state, as that corporal punishments by whipping and imprisonment be abolished and that hard labor on the Ohio Canal at Jeffersonville under proper overseers, be submitted in lieu thereof, with leave to report by bill or otherwise.

Mr. Ferris pursuant to notice asked and obtained leave to bring in a bill to authorize a view and marking of the road heretofore authorized from Lawrenceburgh to the seat of government.

Which was read and passed to its second reading on to-morrow.

On motion by Mr. Ross,

Resolved, That a committee be appointed to enquire what proceedings have been had under the act of the last General Assembly for the establishment of a state seminary with leave to report thereon.

Messrs. Ross, Sullivan of Jefferson, and Ferris, were appointed that committee.

Mr. Hay presented the petition of Walter Wheatly and others, praying an alteration in the state road from Bethlehem to New Lexington.

Which was read, and

On motion,

Ordered, To be referred to a committee composed of Messrs. Hay, Sullivan of Jefferson and Milroy.

On motion by Mr. Sullivan of Knox,

Resolved, That the committee of this House, on the subject of public printing be instructed to act with the committee already appointed on that subject, by the Senate to contract for the printing of this session.

Ordered, That Mr. Sullivan of Knox inform the Senate.

On motion by Mr. Ferris,

Mr. Ross is added to the committee on elections.

Mr. Holman, from the committee to whom was referred the petition of Ephraim Overman and others, of Randolph county, reported that the committee had considered the same, and had directed him to prepare and

report a bill, to attach a part of the new purchase to Randolph county.

Which bill he handed in at the clerk's table, where it was read and passed to its second reading on to-morrow.

On motion by Mr. Ross,

Resolved, That the committee of elections be instructed to enquire what amendments are necessary to the act regulating General Elections, with leave to report by bill or otherwise.

A message from the Senate by Mr. Morrison their Secretary,

Announcing that the Senate have passed an engrossed joint resolution (from this house) of the General Assembly of the state of Indiana, fixing a place for the Electors of President and Vice President of the United States to meet to vote for the same.

Also, that the Senate have concurred in the resolution of this house, appointing a committee to draft and report amendments to the joint rules for the regulation of business between the two houses; and that Messrs. Drew, Daniel and Slaughter are appointed that committee.

On motion by Mr. Milroy,

Resolved, That a committee be appointed to enquire into the expediency of drawing the three per cent fund from the United States, and fund it in such a manner as that the interest may be annually appropriated to the objects for which it was intended by Congress; and also, of vesting all such money as is appropriated for the benefit of literature in this state, in the same fund, on a like principle.

Messrs. Milroy, Sullivan of Jefferson, and Ferris were appointed that committee.

Mr. Sullivan of Jefferson, submitted the petition of sundry inhabitants of Jefferson county, on the subject of tipling houses, which was read—and,

On motion,

Ordered, To be referred to a select committee, composed of Messrs. Sullivan of Jefferson, Powell and Merrell, to consider and report thereon.

On motion by Mr Holman,

Resolved, That so much of the unfinished business of the last session as relates to the attaching of part of the counties of Wayne and Franklin to Fayette county, be resumed, and referred to the committee on that subject.

Mr. Sullivan, of Knox, introduced the following resolution, to wit :

Whereas, it is necessary that every information relative to the situation and government of the banks of the state of Indiana should be sought for and acquired by the present General Assembly, that can be had in justice and good faith, and consistent with the constitution of this state and the charter of the banks, in order to give satisfaction to the people of the state, and to enable the present General Assembly to guard against the evil effects of circulating depreciated bank paper. And whereas the executive of this state is authorised by the Charter of the bank of Vincennes, the state bank of Indiana, to examine, in person, the books and accounts of said bank of Vincennes and her branches,

Thereupon,

Be it resolved, That the Senate be requested to appoint a committee to act with the committee of this house, to whom was referred that part of the Governor's message relative to banks and the circulating medium of the state ; and that the said joint committee call upon the governor for the following information ; and (that if it is possible) for him to give it from a personal examination, if not, from a call upon the banks.

1st. What are the bye-laws, ordinances and regulations of said institutions, and whether they are consistent with the constitution and laws of this state.

2dly. Whether the vacancies occasioned in the di-

rectors, by death, resignation or removal, have been filled up by directors for the balance of the year.

3rdly. Whether the amount of debts owed by said banks have been at any one time more than double the amount of silver, or its equivalent, actually deposited for safe keeping; and if so, to report the names of the directors.

4thly. Whether the banks have taken more than six per cent interest per annum.

5thly. Whether any director of a branch bank has had at any one time, on loan, more than five thousand dollars.

6thly. Whether any of the directors of the mother bank or branches are either directly concerned in any private or individual institution; and if so, to report the names of the directors. And in order that the present General Assembly and the people of the state may be enabled to judge of the solvency or insolvency of the banks, that the Governor report the amount subscribed and actually paid in on stock. and by whom now owned—the amount on special deposit, and the amount on general deposit, and what kind of money it is on deposit—if it is bank paper, on what banks, and by whom deposited—the amount of paper in circulation—the amount of debts due, and by whom, with the names of the endorsers—the amount of silver, gold and United States paper on hand and by them owned—the value of the real estate owned.

8thly. That if the information asked for is obtained by a call of the Governor upon the banks, that the proper officers make it upon oath; and that the Governor communicate the information aforesaid to the present General Assembly, if obtained in time, and if not, to the next General Assembly.

9thly. That the said joint committee take all ways and means to obtain the like information relative to the bank of Madison and her branch, and report to their several houses.

Mr. Milroy introduced a resolution, as directed by the committee of ways and means, contemplating sundry amendments to an act, entitled an act for the collecting and assessing the revenue ; which was read, and,

On motion,

Ordered, To be referred to a committee of the whole on to-morrow.

On motion by Mr. John,

Resolved, That so much of the unfinished business of the last session of this house as relates to mills and millers, be now resumed, and referred to the committee of this house on that subject.

On motion by Mr. Sullivan of Jefferson,

Ordered, That Mr. Sullivan of Knox, be added to the committee on the subject of mills and millers.

On motion by Mr. Milroy,

Ordered, That Mr. John be added to the same committee.

And the house adjourned till 4 o'clock.

The House met pursuant to adjournment.

Mr. Hay introduced the following resolution :

Resolved, That the committee to whom was referred so much of the Governor's message as relates to the revenue laws, be instructed to prepare and report such an amendment to the said revenue laws as will compel the citizens of each township in each county, charged with taxes, either for state or county purposes, to meet the collector at a designated place in the township, (he having given timely notice of the same) and pay their taxes ; and that the per centum be reduced. And further, that the period of redemption for town lots and land sold by the collector be one year. And that the amount required for the redemption of town lots and land sold by the collector shall be three hundred per centum—which was read and ordered to lie on the table.

On motion by Mr. Sullivan of Jefferson,

Resolved, That the Auditor of Public Accounts lay before the house the causes of delays in forcing collections of debts due the state, and such other information relative to defalcations as may be convenient to afford.

On motion by Mr. Zenor,

Resolved, That the committee appointed to contract for stationary be instructed to furnish a table, with a drawer, lock and key for the Speaker; also a lock and key for the clerk's table.

On motion by Mr. Ross,

Resolved, That a committee be appointed on the part of this house, to act with a similar committee who may be appointed on the part of the Senate, to enquire into the reports of the committee of the ways and means for the General Assembly of the state of Indiana in the years 1818 and 1819, and that they enquire into the Auditor's and Treasurer's report for the said years; that they have power to call for papers or send for persons to give testimony touching said offices and officers of the above years, as well as their different reports, and that they report their proceedings to their several houses.

Ordered, That Mr. Ross inform the Senate and request their concurrence.

A message from the Senate by Mr. Polke,

Announcing that the Senate have concurred in the last mentioned resolution of the house, and that they have appointed Messrs. Polke, Drew and Bartholomew a committee contemplated by the said resolution on their part.

Mr. Merrell, from the committee to whom was referred so much of the Governor's message as relates to the seat of government, reported that the committee had considered the said subject, and had directed him to prepare and report a bill appointing commissioners to lay off a town on the site selected for the permanent seat of government.

Which bill he handed in at the clerk's table, where

it was read, and passed to its second reading on to-morrow.

On motion by Mr. Milroy,

Resolved, That the committee appointed to draft a memorial to Congress on the subject of public lands, be requested to report as speedily as possible.

On motion,

The house proceeded to consider the orders of the day.

An engrossed bill from the Senate, entitled an act for the relief of George White, respecting a ferry, was read a second time—and,

On motion,

Ordered, To be referred to committee of the whole on Thursday next.

On motion,

Ordered, That the report of the committee to whom was referred the petition of the trustees of Jeffersonville be referred to the committee of the whole, to whom is referred the bill for the relief of George White.

A bill to amend an act, entitled an act regulating the duties and jurisdiction of justices of the peace, approved January 28th, 1818, was read, and,

On motion by Mr. Sullivan of Knox,

Resolved, That the same be re-committed to the judiciary committee to consider.

A bill to restrict the issuing of fee bills in certain cases, was read a second time, and referred to a committee of the whole on to-morrow.

A bill providing for the election of constables, was read—and,

On motion by Mr. Sullivan of Knox,

Resolved, That the further consideration thereof be indefinitely postponed.

On motion,

The house, according to order, resolved itself into a committee of the whole to consider a bill for the relief of sheriffs, Mr. Holman in the chair, and after some time

spent in the consideration of the said bill, the Speaker resumed the chair, and Mr. Holman reported that the committee, according to order, had considered the said bill, and had made sundry amendments thereto, in which he asked the concurrence of the house.

On motion by Mr. Hay,

Resolved, That the house do concur in the said amendments generally.

Ordered, That the said bill be engrossed and read a third time on Thursday next.

The amendments to the printed rules and regulations as adopted in committee of the whole on yesterday, were now read and unanimously adopted.

On motion by Mr. Sullivan of Knox,

Resolved, That the committee appointed to contract for the public printing be instructed to contract for the printing of one hundred copies of the said rules as amended.

A message from the Senate, announcing that the Senate have concurred in the resolution of this house, on the subject of the election of a Senator in Congress and a Secretary of State.

Mr. Tipton, from the joint committee appointed to examine the offices of the Secretary of State, Auditor of Public Accounts and Treasurer of State, reported :

That, in relation to the office of Secretary of State, they find from an impartial examination, the office; books, records and other documents to be in good order; that the records have been completed up to the 9th of November, 1820, that being the end of an executive year, as stated by the Secretary of State; and that from the statement of the Secretary his records had not been brought up for some months previous to the end of the executive year. That it was his regular practice to complete his records at the end of each year only, alledging as an excuse, that no law or usage on the subject of his duty directed him otherwise. That entering

them all at one time would make his records appear in a more regular and clerical form. That the committee recommend the appointment of a committee to enquire into the expediency of a law, more particularly regulating and defining the duties of the Secretary of State.

That, in relation to the Auditor of Public Accounts and Treasurer of State, the committee with much satisfaction find, from a careful examination, their books, records and other documents in neat clerical order.

That, relative to the contingent fund, pursuant to the resolution under which the committee acted, they have carefully examined the vouchers on which said fund was drawn from the treasury, and find them to correspond exactly with the account of the treasurer.

That, in obedience to the resolution under which they acted, the committee have thought proper to annex to this, their report, an abstract of the vouchers which they examined on file in the treasurer's office.

All of which is respectfully submitted.

JOHN TIPTON, Chairman.

The Appropriation of the Contingent Fund.

An account in favor of Daniel C. Lane, for traveling expenses to Louisville and Vincennes, in obtaining loans from the 31st December, 1816, to January 16th 1818—Audited by the Governor, January 14th, 1820, - - - - - \$88 00

An account rendered by William Farquar against the Secretary of State, for stationary—Audited by the Governor, November 4th, 1819, - - - - - 15 00

An account rendered by A. Brandon for postage—Audited by the Governor, 1st December, 1819, 47 00

An account in favor of Jesse Welsh for a table and block for the secretary's office—Audited by the Governor, 19th June, 1819, - - - - - 11 31 1-4

An account of postage by secretary of state, auditor, treasurer and adjutant general, and stationary furnish-

ed—Audited by the Governor, Dec. 18, 1819,	147 62
An account of postage and stationary by secretary of state, auditor, governor and adjutant general—Audited by the Governor, 3d August, 1819,	42 55 1 2
An account in favor of Jeremiah Sullivan, for services as prosecuting attorney in Jefferson county, in collecting \$808 from the sheriff—Audited by the Governor, January 7, 182,	48 48
An account of Cox and Nelson for printing—Audited by the Governor, 3d Dec. 1817,	27 00
An account of Cox and Nelson for printing, &c.—Audited by the Governor, 3d Dec. 1817,	27 00
An account of G. R. Wilson, for copying a correspondence between the acting governor of Kentucky and the Governor of this state, also, a joint resolution relative to the canal—Audited by the Governor, March 22d, 1820,	12 00
An account in favor of Nelson and Cox, for printing for the adjutant general's office—Audited by the Governor, 24th March, 1820,	33 38
An account of D. C. Lane, for travelling expenses to Vincennes bank, to obtain a loan of \$4,000—Audited by the Governor, 12th April, 1820,	26 00
An account of Ledge and Arion for printing—Audited by the Governor, 15th April, 1820,	3 00
An account of R. W. Nelson, for press furnished the secretary of state, and transmitting laws to Corydon—Audited by the Gov. 29th May, 1820,	30 00
An account of William Gwartney for furnishing cord and binding up the laws for transportation—Audited by the Governor, 29th April, 1820,	4 25
An account of William P. Thomasson for going to Frankfort on state business—Audited by the Governor, 20th July, 1820,	70 00
An account of John Test, for prosecuting on behalf of the state in the supreme court, in the case of Amasa Fuller vs. the state—Audited by the Governor, 22d July, 1820,	30 00

An account of Amos Lane for the same services, and audited by the Governor on the same day, 30 00

An account of A. Brandon for postage by secretary of state, auditor, governor and adjutant general—Audited November 4th, 1820, 40 98 1-2

Which report and abstract having been read were ordered to lie on the table.

And the House adjourned till to morrow morning at nine o'clock.

Wednesday, December 6, 1820.

The House met pursuant to adjournment.

Mr. Ross from the committee on enrolled bills, reported :

That a joint resolution fixing a place for the Electors of President and Vice-President of the United States, to meet to vote for the same, had been examined by the committee, and had been found truly enrolled.

Whereupon

The Speaker signed the same.

Ordered, That the said resolution be carried to the Senate and the signature of the President requested.

Mr. Powell pursuant to notice introduced a bill providing for the collection of fines in certain cases ;

Which was read and passed to its second reading on to-morrow.

Mr. Sullivan of Jefferson, submitted the petition of Stephen Robinson and others, praying the formation of a new county out of part of the new purchase.

Which was read and referred to the committee to whom was referred the petition of David Locke and others on the same subject.

Also, a petition of Hiram Lewis and others praying Flat Rock to be declared a navigable stream from the mouth to the falls ; was also read and referred to a select committee composed of Messrs. Sullivan, Milroy, and Chambers.

A message from the Senate by Mr. Gregory announcing that the Senate have passed an engrossed bill entitled an act divorcing Ephraim Dukes from his wife Martha Dukes in which the concurrence of this House is asked.

The said bill was read and passed to its second reading on to-morrow.

Mr. Ross submitted the petition of Seth Woodruff, praying certain privileges which was read and referred to a select committee composed of Messrs. Ross, Merrell and Zenor.

Mr. Clark from the committee on that part of the Governor's message on the subject of banks and the circulating medium reported that the committee had directed him to prepare and report,

A bill providing for proceedings at law and in equity against corporations ; and,

A bill subjecting bank notes refused to be redeemed with specie to interest ;

Which bills he handed in at the clerk's table, where they were read and passed to a second reading on to-morrow.

On motion by Mr. Milroy,

Resolved, That the committee of Ways and Means, be instructed to enquire into the disbursements of so much of the contingent fund as has been drawn for postage, on the account of the Adjutant General and that they report to this House whether the same or any part thereof, has been improperly drawn, and that they have power to send for persons and papers to aid them in said investigation.

Mr. Sullivan of Jefferson gave notice that on Monday next he will ask leave to introduce a bill to amend the act to incorporate the Madison Academy.

On motion,

Ordered, That Mr. John be added to the committee of Ways and Means.

Mr. Ross from the committee for enrolled bills reported that,

A joint resolution fixing a place for the Electors of President and Vice-President of the United States, to meet to vote for the same, was this day presented to his Excellency the Governor for his approval and signature.

Mr. Clark from the committee on the subject of reducing fees and salaries, reported that the committee had directed him to prepare and report a bill to reduce fees and salaries; which bill he handed in at the clerk's table where it was read and passed to its second reading on to-morrow.

Mr. Ferris from the committee appointed to examine the returns of the number of votes of the several counties of this state reported:

That the committee had performed the duty assigned them so far as returns have been made to the office of secretary of state, and that in the county of Fayette, there are 1,153 voters. In the county of Franklin 1,999. Dearborn 2,287. Jefferson 1,753. Clark 1,373. Floyd 568. Harrison 1,874. Gibson 622. Crawford 510. Perry 428. Spencer 409. Warrick 384. Vanderburgh 416. Posey 862. Ripley 412. Jennings 449. Jackson 738. Grange 1,005. Monroe 520. Owen 187. Daviess 558. Knox 1,198. Sullivan 752.

From the counties of Lawrence, Switzerland, Vigo, Martin, Pike, Dubois, Scott, Washington and Randolph no returns have been received, and from the county of Wayne the return is not complete, but sufficient to shew that the return from that county will be 2,600. And further that from the statement of James Beggs esq. who was appointed deputy marshal, to take the census of Clarke county, in which statement the committee have the fullest evidence the return from Clarke county should have been 1,687 instead of 1,373.

All of which is respectfully submitted.

E. FERRIS, *Chairman.*

Which report was read ; and
Ordered, To lie on the table till *Monday* next.

On motion by Mr. John,

Resolved, That the committee to whom was referred the petition of David Lock and others, be instructed to enquire into the expediency of passing a law, laying off the counties of Wabash and Delaware into new counties of an extent not less than four hundred square miles and as near that extent as possible, with leave to report by bill or otherwise.

Mr. Swaine submitted the petition of Ephram Overman and others praying a state road from Lawrenceburgh to St. Mary's ; which was read and referred to a select committee composed of Messrs. Swaine, Ferris, Hanna, Robb, McDonald and Yandes.

A message from the Governor by Mr. Brandon, announcing that his Excellency did this day approve and sign, a joint resolution fixing a place for the electors of President and Vice-President to meet to vote for the same.

Mr. Gibson submitted the petition of E. Jones praying to be authorised to keep a ferry across the Ohio river at the town of Providence ; which with some recommendations thereto attached, was read and referred to a select committee composed of Messrs. Gibson, Ross and Zenor.

On motion,

The House proceeded to consider the orders of the day.

The House according to order resolved itself into a committee of the whole to consider a bill arranging the boundary line between the counties of Scott and Washington,

Mr. Sullivan of Knox in the chair, and after some time spent therein,

The Speaker resumed the chair, and Mr. Sullivan reported that the committee of the whole had consider-

ed said bill and had directed him to report the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

The House according to order resolved itself into a committee of the whole to consider, a joint resolution to provide for an interchange of statute laws,

Mr. Ferris in the chair, and after some time spent therein,

The Speaker resumed the chair, and Mr. Ferris reported that the committee of the whole had considered the said resolution and had made sundry amendments thereto in which he asked the concurrence of the House.

On motion,

Resolved, That the House do concur in said amendments.

A message from the Senate by Mr. Drew, announcing that the Senate have appointed him as teller to tell and count the votes, at the contemplated election for a Senator in Congress and secretary of state.

Mr. Sullivan of Knox is appointed teller for the aforesaid purpose on the part of this House.

Ordered, That the Senate be informed thereof.

Pursuant to previous arrangements the Senate now convened in the Representatives' chamber and the two Houses proceeded to vote for a Senator in the Congress of the United States, to fill the place of the honorable James Noble, whose term of service will expire from and after the fourth of March next, and after all the members of each House had voted the votes were counted, and the secretary of the Senate and clerk of the House of Representatives having signed a statement of the number of votes given, and for whom they were given, it appeared that the whole number of votes given, was thirty seven; that for James Noble there were given twenty votes. For Jesse L. Holman thirteen votes. For Davis Floyd four votes,

Whereupon,

James Noble having the greatest number of votes, and a majority of the whole number given, was by the President of the Senate, in the presence of both houses declared duly elected a Senator in Congress to represent this state, for the term of six years from and after the fourth day of March next

In like manner the members of both Houses, voted for a secretary of state, and the whole number of votes given being the same, and having been received, counted and signed, in the same manner, it appeared that for Robert A. New, there were twenty one votes; for Armstrong Brandon thirteen votes; H. H. Moore three votes.

Whereupon,

Robert A. New having the greatest number of votes and a majority of the whole number given, was by the President of the Senate, in the presence of both Houses declared duly elected to the office of secretary of state, for the state of Indiana, to serve for and during the period prescribed by the constitution of this state, and

The Senate retired.

On motion,

The House adjourned till to-morrow morning at 9 o'clock.

Thursday Morning, December 7, 1820.

The House met pursuant to adjournment.

The Speaker submitted a communication from John McAfee stating that since entering upon the duties of his office as trustee of the public seminary for Jackson county he has received eighty eight dollars and eighty one cents.

Mr. Tipton submitted the petition of Charles Poston and others praying an alteration in a certain road therein named; which was read and referred to a select committee composed of Messrs Tipton, Milroy, Chambers and Ross to consider and report thereon.

On motion by Mr. Milroy,

Resolved, That the committee on elections be instructed to enquire into the expediency of providing by law for taking the votes of the Electors of this state at the next general election, to ascertain whether they are favorable to a change in the mode of voting, as provided for by the constitution.

Mr. Ross from the committee on the subject of public roads and highways, reported that the committee had directed him to prepare and submit, a bill to amend an act entitled an act supplemental to an act for opening and repairing public roads and highways, approved December 31st. 1818; which bill he handed in at the clerk's table, where it was read and passed to its second reading on to-morrow.

Mr. Ferris from the committee on the subject of the pecuniary embarrassments of the country reported that the said committee had directed him to prepare and submit a bill relative to the incorporation of companies for manufacturing purposes.

Also a bill granting pecuniary relief; which bills were severally read and passed to their second reading on to-morrow.

A message from the Senate by Mr. Baird, announcing that the Senate have passed an engrossed bill entitled an act establishing a permanent seat of justice for the county of Wayne; which bill he handed in at the clerk's table, where it was read and passed to its second reading on to-morrow.

Mr. Clark presented the petition of sundry inhabitants of Jackson county, remonstrating against the attaching of part of said county to a new county, contemplated to be established in the new purchase, and prayed for by sundry inhabitants of Delaware county; which said petition was read and referred to the committee to whom was referred the petition of David Locke and others to consider and report thereon.

Mr. Ross from the committee to whom was referred

the petition of Seth Woodruff and others, praying certain privileges, reported that the said committee had directed him to prepare and submit a bill to incorporate New-Albany school, which bill he handed in at the clerk's table, where it was read and passed to its second reading on to-morrow.

The Speaker submitted the following communication.

CORYDON, December 7th, 1820.

*To the Honorable the Speaker,
of the House of Representatives.*

SIR—I herewith have the honor to submit to the House of Representatives the following communication in obedience to a resolution of the House, of the 5th instant.

I have the honor to be very respectfully, your's &c.

WILLIAM H. LILLY, *Aud. Pub. Ac'ts.*

AUDITOR'S OFFICE. }

Corydon, December 7th. 1820. }

The auditor of public accounts in obedience to a resolution adopted in the House of Representatives on the 5th instant would state : in every instance of defalcation with collectors of the revenue, the claim of the state has been made out regularly authenticated and forwarded to the prosecuting attorney of the proper county—but as was stated in the auditor's annual report those communications have not been answered, and are in several instances unattended to. It is believed that defalcations are more numerous than would otherwise be, from the circumstance of the prosecuting attorneys, being intrusted therewith, and owing to the frequent changes made by the courts in those appointments.

Most respectfully submitted.

WILLIAM H. LILLY, *Aud. Pub. Ac'ts.*

The above communication was read ; and

Thereupon,

On motion by Mr. Hay,

Resolved, That the committee of Ways and Means be instructed to enquire into the expediency of so amending the revenue laws of this state, as to authorise the auditor of public accounts to employ an officer in each county or judicial district to collect all monies, which are or may become due to the state.

On motion by Mr. Gibson,

Resolved, That a select committee be appointed to enquire into the expediency of providing by law for laying out permanent roads from New Albany *via* Jeffersonville to Charlestown, from Charlestown to Madison; also from Jeffersonville to Salem. Indiana.

Messrs. Clark, Sullivan of Jefferson and Battell, were appointed that committee.

On motion,

The resolution submitted yesterday by Mr. Hay on the subject of taxes and collectors, and ordered to lie on the table, is now resumed and referred to the committee of the whole, to whom was referred the resolution submitted by Mr. Milroy on Tuesday last on the subject of taxation, and

Thereupon,

The consideration of the orders of the day being resumed, the House resolved itself into a committee of the whole on the two last mentioned resolutions :

Mr. Zenor in the chair, and after some time spent therein,

The Speaker resumed the chair, and Mr. Zenor reported, that the committee of the whole had according to order had the resolutions referred to them under consideration, and had amended the said first mentioned resolution, submitted by Mr. Hay by striking the same out from the word, resolved, and that they had amended the said secondly above mentioned resolution, introduced by Mr. Milroy, by striking it out in like manner and inserting the following, (to-wit :) :

That the committee of Ways and Means be instruct-

ed to report a bill on the subject of revenue, so that taxes shall be assessed upon the principle of ad valorem.

And that the committee of ways and means be further instructed to take into consideration the expediency of laying a poll tax to meet the public debt, in whole or in part, which tax shall be payable in the paper of the bank of Vincennes, the state bank of Indiana, and her branches; in which report he asked the concurrence of the House.

On motion,

Resolved, That the House do concur in so much of the report of the committee of the whole as relates to the amendments made to the said first mentioned resolution submitted by Mr. Hay, and in the amendment adopted to the said secondly mentioned resolution, submitted by Mr. Milroy, so far as relates to instructing the committee of ways and means to report a bill on the subject of revenue, so as to impose taxes upon the principle of ad valorem.

The question being put, will the house concur in the amendment made in the committee of the whole which requires the committee of ways and means to take into consideration the expediency of imposing a poll tax? The Ayes and Noes were demanded by Messrs. Sullivan of Jefferson, and Hay. and were as follows, to wit: Those who voted in the affirmative were

Messrs. Clark, Chambers, Ferris, Goudie, Grass, Green, Holman, John, McDonald, Powell, Robb, Stergus, Swaine, Tipton, Zenor and Graham, Speaker—16.

Those who voted in the negative were

Messrs. Battell, Crawford, Gibson, Hay, Hanna, Merrell, Milroy, Ross, Sullivan of Jefferson, and Yandes—10.

And so the house concurred in the said amendment.

And the house adjourned till two o'clock.

The House met pursuant to adjournment.

The house proceeded to consider the resolution on the subject of adjourning the two houses of the General Assembly to Charlestown, in Clark county.

Mr. Sullivan of Jefferson moved that the further consideration of the said resolution be indefinitely postponed, and on the question on that motion being put, and the Ayes and Noes being demanded by Messrs. Tipton and Holman, those who voted in the affirmative were,

Messrs. Battell, Crawford, Green, Hay, Holman, John, Merrell, Sturgus, Sullivan of Jefferson, Tipton and Zenor—11.

Those who voted in the negative were,

Messrs. Clark, Chambers, Ferris, Gibson, Goudie, Grass, Hanna, McDonald, Milroy, Powell, Robb, Ross, Sullivan of Knox, Swaine, Yandes and Graham Speaker—16.

On motion,

Resolved, That the further consideration thereof be postponed till Tuesday next.

The bill arranging the boundary lines of Washington and Scott counties was read a third time and passed.

Ordered, That the same be entitled an act; and that Mr. Milroy inform the Senate thereof.

On motion,

The house now, according to order, resolved itself into a committee of the whole, to consider the bill to prevent the disturbance of religious societies, Mr. Milroy in the chair, and after some time spent in the consideration of the said bill, the Speaker resumed the chair, and Mr. Milroy reported, that the committee had, according to order, had the said bill under consideration, and had made sundry amendments thereto, in which he asked the concurrence of the house.

On motion,

Resolved, That the house do concur in the said amendments.

Mr. Merrell moved to amend the said bill by striking out the second and third sections of the bill, and the question on that motion being put, it was determined in the affirmative.

Ordered, That the said bill be engrossed and read a third time on to-morrow.

The house, according to order, resolved itself into a committee of the whole, to consider the bill to repeal an act, entitled an act defining seals to be affixed to instruments of writing and for other purposes, Mr. Robb in the chair, and after some time spent in the consideration of the said bill, the Speaker resumed the chair, and Mr. Robb reported, that the committee of the whole, according to order, had taken the said bill into consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

And leave was accordingly granted.

On motion,

The House adjourned till to-morrow morning at nine o'clock.

Friday, December 8th, 1820.

The House met pursuant to adjournment.

A message from the Senate by Mr. Gregory,

Announcing that the Senate have passed an engrossed bill, entitled an act for the relief of James Thompson, Jesse W. Knighten and David Dowus, in which they ask the concurrence of this house.

The said bill was read, and passed to its second reading on to-morrow.

Mr. Sullivan of Knox, from the committee to whom was referred so much of the Governor's message as relates to public lands, reported that the committee had taken the said subject into consideration, and had directed him to prepare and submit a memorial to Congress, praying relief; which was read—and,

On motion,

Was referred to a committee of the whole house and made the order of the day for this day.

Mr. Ross, from the committee on enrolled bills, reported that the committee had examined an enrolled bill, entitled an act authorizing the associate judges of Martin county to appoint a clerk in vacation, and that the same is truly enrolled.

The Speaker signed the said bill.

Ordered, That the same be carried to the Senate and the signature of the President requested.

The Speaker submitted the memorial of Peter Smith, praying articles of impeachment against Isaac Shelby, Esq. clerk of the circuit court for Clark county; which was read and referred to a committee composed of Messrs. Milroy, Merrell and Powell, to consider and report thereon.

Mr. Sullivan of Knox and Battell are added to said committee.

Mr. Sturgus submitted the petition of L. K. Scott and others, praying the passage of an act legalizing the election of the county commissioners of Vigo county; which was read and referred to a select committee composed of messrs. Sturgus, Sullivan of Knox, and Battel to consider and report thereon.

Mr. Tipton, from the committee to whom was referred the sundry petitions and remonstrances on the subject of a new county out of part of the counties of Delaware and Jackson, reported that the committee had directed him to prepare and submit a bill for the formation of a new county out of the counties of Jackson and Delaware.

Which bill was read and passed to its second reading on to-morrow.

Mr. Tipton, from the committee to whom was referred the petition of the trustees and sundry inhabitants of Corydon, reported that the committee had considered the subject of said petition, and had directed him to

prepare and submit a bill for the relief of persons owning property in Corydon.

The said bill was read and passed to its second reading on to morrow.

Mr. Hay, from the committee to whom was referred the petition of Walter Wheatly and others, reported, that the committee had directed him to prepare and submit a bill to authorize a review of a portion of the state road from Bethlehem to Brownstown.

Which bill was read and passed to its second reading on to morrow.

Mr. Chambers submitted the petition of Jonathan Osborn, praying a divorce from his wife; which, with the documents accompanying, was read and ordered to lie on the table.

Mr. Robb, from the committee to whom was referred the propriety of repealing the act for the benefit of debtors, and of prohibiting the circulation of certain paper, reported that the committee had directed him to prepare and submit a bill prescribing what paper shall be deemed current and for other purposes.

Which bill was read and passed to a second reading on to-morrow.

Mr. John submitted the following resolution :

Resolved, That a committee be appointed to take into consideration the expediency of authorizing, by law, the sale of the school sections, No. 16, in each and every township in this state, at the discretion of the county commissioners of each county, for a given number of years, and that the purchasers shall annually pay an interest of six per cent on the amount of the purchase money of such lands, to be applied to the original design for which said lands were granted to this state; with leave to report by bill or otherwise.

The said resolution was read and rejected.

Mr. Tipton submitted the petition of William Gwartney, praying additional compensation for distributing

the laws ; which petition was read and referred to the committee of ways and means.

Mr. Yandes presented the petition of sundry inhabitants of the counties of Fayette, Franklin and Wayne, praying the establishment of a state road therein described ; which was read and referred to a select committee composed of messrs. Yandes, Goudie and Tip-ton.

On motion by Mr. Clark,

The following resolution, amended on motion by Mr. Ross, was adopted :

Resolved, That a committee be appointed to enquire into the situation of land claims in Clark's grant ; what course is necessary to be pursued by the state of Indiana, for the purpose of making and securing conveyances of lands surveyed in Clark's grant, to those officers and soldiers to whom the same was granted, or their legal heirs, who are entitled thereto, and report the same to this house.

messrs. Clark, Ross, Sullivan of Knox, Sullivan of Jefferson, Merrell and Battell are appointed the committee contemplated by said resolution.

On motion by Mr. Sturgus,

Resolved, That the committee of ways and means be instructed to enquire into the expediency of authorizing non-residents to pay their taxes at the seat of government of this state.

A message from the Senate,

Announcing that the Senate have passed an engrossed joint resolution of the General Assembly of the state of Indiana, on the subject of voting.

The said resolution was read and passed to its second reading on to-morrow.

On motion,

The house proceeded to consider the orders of the day.

The house, according to order, resolved itself into a committee of the whole, to consider a bill to repeal an

act, entitled an act to amend an act, entitled an act subjecting real and personal property to execution, approved January 7th, 1818, Mr. Powell in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through with the consideration thereof, had directed him to ask leave to sit again.

Accordingly leave to sit again is granted.

And the house adjourned to two o'clock.

The House met pursuant to adjournment.

On motion,

The House again resolved itself into a committee of the whole to consider the bill to repeal an act entitled, an act subjecting real and personal property to execution approved 7th January 1818,

Mr. Powell again in the chair, and after some time spent in the consideration of said bill,

The Speaker resumed the chair, and Mr. Powell reported that the committee of the whole according to leave had again considered the said bill and had amended the same by striking out the second section in which he asked the concurrence of the House.

On motion,

Resolved, That the House concur therein.

Ordered, That the said bill be engrossed and read a third time on Wednesday next.

The House according to order resolved itself into a committee of the whole to consider the memorial to Congress on the subject of an extension of the time for payment for public lands in this state, submitted to the House heretofore by Mr. Sullivan of Knox,

Mr. Holman in the chair and after some time spent in the consideration thereof,

The Speaker resumed the chair, and Mr. Holman re-

ported that the committee of the whole had according to order taken the said memorial into consideration and amended the same by striking it out and adopting in lieu thereof a memorial submitted by Mr. Milroy of Washington county with some amendments thereto; in which he asked the concurrence of the House.

On motion,

Resolved, That the House do concur in said amendments.

Ordered, That the said memorial be engrossed and again read on to-morrow.

The engrossed bill for the relief of sheriffs, was read a third time and passed.

Ordered, That the same be entitled an act, and that Mr. Tipton inform the Senate of the passage thereof, and request their concurrence.

A message from the Senate by Mr. Harrison,

Announcing that the Senate have adopted the following resolution to-wit :

Resolved, That it is the wish of the Senate that the following committees on their part confer with similar committees on the part of the House of Representatives, to-wit :

The military committee.

The committee on banks, and

The committees on the several acts subjecting real and personal property to execution and that they be considered as joint committees (the House of Representatives concurring therein) and that the said joint committees agree in which House they will report their bills—and he withdrew.

On motion,

The House adjourned till to-morrow morning at nine o'clock.

Saturday, December 9, 1820.

The House met pursuant to adjournment.

On motion by Mr. Milroy,

The committee appointed to enquire into the official conduct of Basil Prather clerk of the Washington circuit court and to report articles of impeachment against him, if they deemed necessary, are discharged from a further consideration of said subject.

Mr. Tipton from the committee to whom was referred the petition of Charles Poston and others reported that the said committee had directed him to prepare and submit to the *House* a bill to change the state road from New-Albany to Hindostan ; which bill was read and passed to its second reading on Monday next.

Mr. Gibson from the committee on the subject of public roads and highways reported that the committee had directed him to prepare and submit to the *House* a bill supplemental to an act locating certain permanent roads therein named and for other purposes, approved January 22nd, 1820 ; which bill was read and passed to its second reading on to morrow.

Mr. John from the committee appointed to consider the resolution on the subject of the introduction of foreign goods and bank paper, reported that the said committee had directed him to prepare and submit to the *House* a bill prohibiting the introduction of bank notes, issued by banks or banking companies without this state that will not be received in payment of lands and for other purposes.

Which said bill was read and passed to its second reading on Monday next.

Mr. Crawford gave notice that on Monday next he will ask leave to bring in a bill to amend the act entitled an act to exempt certain property from being subject to execution

Mr. Sullivan of Knox from the committee to whom was referred the subject of the contract and bond given by Brandon and Co. relative to the public printing reported that the said committee has performed the du-

ty assigned them and find the date of the bond to be the 30th September 1820, when the report of the secretary of state shows that it was not accepted until the last of October.

The joint committee, therefore agreed to report to their respective Houses, that the contract entered into by Brandon and Co. with the agents of government be confirmed.

Mr. Merrell pursuant to notice asked and obtained leave to introduce a bill amending the act reducing into one all the acts and parts of acts now in force in this state regulating proceedings in actions at law and suits in chancery ; which bill was read and passed to its second reading on Monday next.

Mr. Tipton introduced the following resolution to-wit :

Resolved, That a committee be appointed to enquire into the expediency of passing a law making it necessary for all free persons of color, when they emigrate to this state, to produce a certificate of their freedom, before they are entitled to the protection of the law, and of levyng a tax on them for certain exemptions ; which resolution was read and,

On motion,

Resolved, That the same be referred to the committee of the whole House on this day.

On motion by Mr. Tipton,

Resolved, That a committee be appointed on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to enquire into the expediency of passing a law to reduce into one act, all the acts and parts of acts, heretofore in force in this state subjecting real and personal estate to execution, and that the Senate be informed thereof.

Ordered, That Mr. Tipton carry the said resolution to the Senate and request their concurrence.

Mr. Battell gave notice that on Monday next he will

ask leave to introduce a bill to facilitate prosecutions for perjury.

On motion,

The House now proceeded to consider the orders of the day, and

Thereupon,

The House according to order again resolved itself into a committee of the whole to consider the bill to repeal an act defining seals to be affixed to instruments of writing, and for other purposes,

Mr. Zenor in the chair, and after some time spent in the consideration of the said bill,

The Speaker resumed the chair and Mr. Zenor reported that the committee of the whole according to order had again considered the said bill and had made sundry amendments thereto in which amendments he asked the concurrence of the House.

The said amendments were read and severally concurred in, except the amendment by which the following proviso was added. provided however, that deeds for the conveyance of lands shall be sealed by wax or by a scroll; which amendment was not concurred in by the House.

Ordered, That the said bill be engrossed and read a third time on Wednesday next.

The engrossed joint resolution providing for an interchange of statute laws with the several states of the United States was read a third time and passed.

Ordered, That Mr. Ross inform the Senate thereof.

The engrossed bill to prevent the disturbance of religious societies, was read a third time and the question being put, shall this bill pass? It was determined in the affirmative.

On motion by Mr. Sullivan of Jefferson,

Resolved, That the said bill be entitled an act to amend an act, entitled an act to prevent certain immoral practices, approved January 3. 1817.

Ordered, That Mr. Ferris inform the Senate thereof.

A message from the Senate by *Mr. Morrison* their secretary, announcing that the Senate have adopted a memorial of the General Assembly of the state of Indiana to the Senate and House of Representatives of the United States on the subject of taxing lands sold since the 1st day of July 1820.

The said memorial was read and referred to a committee of the whole House on Monday next.

The House adjourned till Monday next at nine o'clock A. M.

Monday, nine o'clock December 11, 1820.

The House met pursuant to adjournment.

Mr. Grass presented the petition of *Isaac Hudson, Amelia McMurtry and Tubby Bloyd* praying certain relief; which was read and referred to a select committee composed of *Messrs. Grass, Holman and Tipton*.

A message from the Senate by *Mr. Drew*, announcing that the Senate have appointed a committee on their part to act in conjunction with the committee appointed by the House of Representatives, to enquire into the expediency of passing a law, reducing into one, all the acts and parts of acts, heretofore in force in this state, subjecting real and personal property to sale by execution, and that the Senate on their part have appointed *Messrs. Drew, Daniel, Slaughter and Harrison* that committee.

Mr. Sturgus submitted the petition of *General W. Johnston and E. Stout*; which was read and ordered to lie on the table.

Mr. Ross submitted the remonstrance of *Joel Scribner* and others against the alteration of the state road from *New Albany to Hindostan*; which was read and ordered to lie on the table; also, the remonstrance of sundry citizens against the petition of *E. Jones* praying a right of ferry; which was read and ordered to lie the table.

Mr. Gibson, from the committee to whom was referred the petition of Epaphus Jones, praying a right of ferry, reported that the committee have had the said subject under consideration, and have examined the statute laws of this state on the subject of ferries, which gives the county commissioners of the several counties power and authority to establish ferries whenever public convenience requires such establishments. That the circumstance of one of the county commissioners being absent at one session of the board, and of another being interested, as is alledged in the petition, are not in the opinion of the committee, such grievances as require legislative aid, and therefore are of opinion that the prayer of the petitioner is unreasonable and ought not to be granted.

Mr. Sullivan, of Knox, asked and obtained leave to introduce a joint resolution for the encouragement of education, which was read and passed to its second reading on to morrow.

Mr. Hay, from the committee to whom was referred the petition of R. W. Nelson, John H. Thompson and John H. Farnham, praying an investigation into the official conduct of Jacob Brookhart, a justice of the peace for Jeffersonville township, in the county of Clark, reported—That the committee are induced to believe that the said Jacob Brookhart did, on or about the 1st of November, 1819, as a justice of the peace, did wilfully and corruptly aid, abet and assist in unlawfully arresting, imprisoning and running out of this state one Isaac Crosby, a man of color, contrary to his official duties, and by a perversion and prostitution of his powers aforesaid; and beg leave to submit the following resolution:

Resolved. That articles of impeachment be preferred against the said Jacob Brookhart, and that the attendance of the following witnesses, in support of the charges, be required by a warrant of the Speaker, to wit: Robert Hopkins, senr. William Heath, Levi Owen,

James Marshall and John Conway, of Clark county, and George W. Garretson, of Floyd county.

Which report was read and concurred in by the house.

A message from the Senate by Mr. Harrison,

Announcing that the Senate have passed an engrossed bill, entitled an act for the revision of the statute laws of this state.

The said engrossed bill was read and passed to its second reading on to-morrow.

The Speaker laid before the house a communication from John Pennick, trustee of the public seminary of Orange county, stating that he has received since his appointment the sum of one hundred and eighty-eight dollars and two cents.

Also, a similar communication from Charles Welldridge, trustee of the public seminary for Daviess county, stating that he has received eighty-one dollars and ninety-six cents.

Also, a similar communication from Edward E. Wilson trustee of the public seminary for Harrison county, from which it appears that the amount reported as loaned in 1819, until the 1st March, 1820, is

\$154 00

Interest on that amount, at 6 per cent, 5 75

Making, 159 75

Which has been paid and loaned for one year, ending the 1st March, 1821, with bond and good security.

Received from the 1st March, 1819, up to

March 1st, 1820, \$165 99 3-4

His per centum on that amount, 9 94

Leaving a balance of 156 05 3-4

Which amount has been loaned out until the first of March, 1821—bond and good security taken.

Received since the 1st March, 1820, \$1 87 1-2

His per centum on that amount, 11 1 4

Balance, 1 76 1-4

Mr. Crawford, pursuant to notice, introduced a bill to amend an act, entitled an act to exempt certain property from being subject to execution.

Which bill was read and passed to its second reading on to morrow.

A message from the Senate by Mr. Bartholomew,

Announcing that the Senate have passed an engrossed bill, (which originated in this house) entitled an act arranging the boundary line between the counties of Scott and Washington, without any amendment.

Mr. Tipton introduced a joint resolution of the General Assembly of the state of Indiana, concerning the Treasurer of State; which was read, and the rule being dispensed with, was again read—and,

Ordered, To be engrossed and read a third time on this day.

Messrs. Ferris, Sullivan of Knox, Hay, Merrell, John, Battell and Clark are appointed a standing committee on education.

Mr. Chambers submitted the petition of sundry citizens of Orange county, on the subject of the public seminary; which was read and referred to the committee on education.

On motion by Mr. Sullivan of Jefferson,

Resolved, That a committee be appointed to enquire what amendments (if any) are necessary to the act, entitled an act for the relief of the poor, approved January 24th, 1818; and that the said committee be instructed to enquire into the expediency of authorizing the several boards of county commissioners to provide in each county in this state a house and lot of ground for the reception and accommodation of the poor, and that the said committee have leave to report by bill or otherwise.

Messrs. Sullivan of Jefferson, Sullivan of Knox, Milroy, McDonald, Holman and Powell are appointed the committee contemplated by said resolution.

On motion by Mr. Robb,

Resolved, That the committee of the whole, to whom was referred the bill on the subject of banks, enquire into the expediency of repealing such of the existing laws of this state as authorize banks or banking companies to bring separate suits against the drawers and endorsers of stock notes, as have been discounted by said banks or banking companies, and allows ten per centum interest on said notes for disappointment, if not punctually paid ; and into the expediency of providing by law that no suit or action shall be brought or sustained against the endorser of such notes until the drawer or drawers be prosecuted to insolvency ; and in case of the insolvency of the drawers that the solvent endorsers shall each be liable for an equal proportion.

Mr. Swaine, from the committee to whom was referred the petition of Ephraim Overman and others, praying the establishment of a road, as therein described, reported that the said committee had directed him to prepare and submit a bill to locate a permanent road from Lawrenceburg to St. Mary's.

Which bill was read and passed to its second reading on to-morrow.

Mr. Battell, pursuant to notice, introduced a bill to facilitate prosecutions for perjury ; which was read and passed to its second reading on to-morrow.

Mr. Powell, from the committee on military affairs, introduced a bill to amend the act regulating the militia ; which bill was read and passed to its second reading on to-morrow.

On motion by *Mr. Milroy*,

Resolved, That the printers of the laws and journals of the present session of the General Assembly be authorized to print five hundred copies of the Journal of the House of Representatives at their present session.

On motion by *Mr. Ferris*,

The house proceeded to consider the orders of the day.

The joint resolution of the General Assembly of the

state of Indiana, concerning the treasurer of state, was read the third time and passed.

Ordered, That Mr. Tipton inform the Senate thereof.

The bill attaching a part of the new purchase to Randolph county, was read the second time and referred to a committee of the whole on Wednesday next.

The bill appointing commissioners to lay off a town at the permanent seat of government of this state, was read a second time—and,

On motion,

Was referred to a committee of the whole house on to-morrow.

The house resolved itself into a committee of the whole, to consider the resolution heretofore introduced by Mr. Sullivan of Knox, authorising the executive of this state to enquire into the state of the banks of this state, Mr. Ross in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Ross reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same by adopting the following interrogatories, as subjects of enquiry by the Governor, when prosecuting the investigation contemplated by the said resolution, and to be incorporated therein, to wit :

Whether the mother bank of Vincennes has not issued notes payable at her branches without their knowledge or consent?

Whether the directors of the bank of Vincennes, the state bank of Indiana, have laid before the stockholders at any general meeting, an exact and particular statement of the debts unpaid said institution, as by the charter they are required?

Whether the solvency of the said bank has been impaired by the default of any of its officers? and if so, who they are, and who are their accomplices?

The question being then put, shall the said resolution, as amended, be adopted? And the Ayes and Noes

being demanded by Messrs. Sullivan, of Knox, and Robb, all the members present voted in the affirmative except Mr. Ferris, who voted in the negative. [Mr. Clark was at this time absent.]

And so the resolution was adopted.

The bill to amend the act, to locate certain permanent roads therein named, was read a second time, and referred to a committee of the whole on to-morrow.

The bill for the benefit of John De Pauw, was read a second time—and,

Ordered, To be engrossed and read a third time to-morrow.

The house, according to order, resolved itself into a committee of the whole, to consider the bill restricting the issuing of fee bills in certain cases, Mr. Powell in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had considered said bill, and had made some amendments thereto, but not having time to go through with the necessary amendments, had directed him to ask leave to sit again.

Leave accordingly was granted.

And the house adjourned till two o'clock.

The House met pursuant to adjournment.

The house, according to order, resolved itself into a committee of the whole, to consider the engrossed bill from the Senate, entitled an act for the relief of George White, respecting a ferry, Mr. Sullivan of Jefferson in the chair, and after some time spent in considering the said bill, the Speaker resumed the chair, and Mr. Sullivan reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made an amendment thereto, in which he asked the concurrence of the house.

On motion,

Resolved, That the house do concur in said amendment.

Mr. Ross moved so to amend the said bill, as that George White only have a right to ferry to and from lot numbered ten, in Jeffersonville ; and the question on that motion being put, and the Ayes and Noes being demanded by Mr. Ross and Mr. Hay, those who voted in the affirmative were,

Messrs. Clark, Gibson, Hay, Holman, Milroy, Ross Robb, Sturgus, Swaine and Tipton—10.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Ferris, Goudie, Grass, Green, Hanna, John, McDonald, Merrell, Powell, Sullivan of Jefferson, Sullivan of Knox, Yandes, Zenor and Graham, Speaker—17.

Ordered, That the same be read a third time on to-morrow.

A message from the Senate by Mr. Slaughter,

Announcing that the Senate have passed a joint resolution of the General Assembly of the state of Indiana, concerning the treasurer of state, which originated in this house, with an amendment, in which the concurrence of this house is asked.

A message from the Senate by Mr. Harrison,

Announcing that the Senate have passed the following resolution, to wit :

Resolved, That the joint committee on banks be instructed to report a bill to prevent the further issuing or emission of bank notes from the state bank of Indiana and its branches, and to insert a clause in said bill to compel the branch banks of this state to resume specie payments in such time as said committee deem expedient.

And the House adjourned till to-morrow morning at nine o'clock.

Tuesday, December 12th, 1820.

The House met pursuant to adjournment.

The house proceeded to consider the amendment

made by the Senate, to the joint resolution of the General Assembly of the state of Indiana, concerning the treasurer of state, and concurred therein.

Mr. Powell submitted the petition of Peter White and others, on the subject of county business.

Which was read and referred to a select committee, composed of Messrs. Powell, John and Hay, to consider and report thereon.

A message from the Senate by Mr. Drew,

Announcing that the Senate have, on their part, appointed Messrs. Harrison, Drew, Daniel and Cotton a committee to act in conjunction with a similar committee on the part of the House of Representatives, to request the Governor of the State, to obtain the information contemplated by a Resolution of the House of Representatives, from the State Bank and its Branches.

On motion by Mr. Hay,

Resolved, That a committee be appointed to draft and prefer articles of impeachment against Jacob Brookheart a justice of the peace of the county of Clark.

Messrs. Hay, Merrell, Sullivan of Jefferson, Sullivan of Knox and Battell are appointed that committee.

Mr. Milroy from the committee to whom was referred the subject of the revenue, reported that the committee had directed him to prepare and submit a bill for assessing and collecting the revenue ; which bill was twice read (the rule being dispensed with) and referred to a committee of the whole on this day.

Mr. Milroy asked and obtained leave to introduce a bill amendatory to the several acts regulating the assessment and collecting the revenue ; which bill (the rule being dispensed with) was twice read and referred to the committee of the whole, to whom was referred the bill for assessing and collecting the revenue.

Mr. Ferris asked and obtained leave to introduce a bill to repeal the charters of all banks and to remove all branch banks that may refuse to redeem their notes with

specie, after the time therein specified ; which bill was read and passed to its second reading on to-morrow.

Mr. Sullivan from the committee to whom was referred the petition of sundry inhabitants of Madison on the subject of tipling houses, reported that the committee had directed him to prepare and submit a bill to amend the act entitled an act to license and regulate taverns, approved January 28th, 1818 ; which was read and passed to its second reading on to-morrow.

The committee to whom was referred the subject of military affairs, are by the Speaker appointed a standing committee on that subject.

Mr. Hay asked and obtained leave to submit the petition of William K. Ritchee and others praying a removal of the seat of justice for Scott county, which was read and referred to a committee composed of messrs. Hay, Crawford, Powell, Milroy and Tipton, to consider and report thereon.

Messrs. Milroy, Crawford and Powell are discharged from that committee and Mr. Gibson is added thereto.

Mr. Chambers presented a petition for the relief of the sheriff of Orange county, which was read and referred to a select committee, composed of Messrs. Chambers, Ferris and Milroy to consider and report thereon by bill or otherwise.

On motion by Mr. Ross,

Resolved, That the committee of ways and means, be instructed to enquire into the expediency of making further provision for the redemption of the warrants of the late territorial treasury, with directions to report by bill or otherwise.

The Speaker submitted a communication from Elisha Tadlock trustee of the public seminary for Crawford county, stating that by virtue of his office he had under his control on the 11th Dec. 1820, ninety four dollars and fifty cents, in notes for money loaned on interest.

On motion by Mr. McDonald,

Resolved, That the judiciary committee be instructed to enquire into the expediency of extending the jurisdiction of justices of the peace to one hundred dollars, in certain cases; also to enquire into the propriety of justices of the peace having cognizance of penal offences.

On motion,

Mr. McDonald is added to the judiciary committee.

On motion by Mr. Ferris,

The house proceeded to consider the orders of the day.

According to order the house now resolved itself into a committee of the whole to consider the bill amendatory to the several acts regulating the assessment and collection of the revenue, and,

The bill for assessing and collecting the revenue,

Mr. Grass in the chair, and after some time spent in the consideration of said bills,

The Speaker resumed the chair, and Mr. Grass reported that the committee of the whole, according to order, had considered the said bills and had made some progress in amending the same, but not having time to go through therewith had directed him to ask leave to sit again. Leave was not granted.

And the house adjourned to one o'clock.

The House met pursuant to adjournment.

Mr. Ross from the committee for enrolled bills reported that the committee had examined a joint resolution of the General Assembly of the state of Indiana, respecting the treasurer of state and that the same is truly enrolled.

Whereupon,

The same was signed by the Speaker.

Ordered, That Mr. Ross inform the Senate and request the signature of the President thereof.

On motion,

Resolved, That the bill for the assessing and collect-

ing the revenue, be recommitted to a select committee, composed of Messrs. Merrell, Ross, Battell, Tipton and Clark to consider and report thereon.

Resolved, That the bill amendatory to the several acts now in force relative to the assessing and collecting of the revenue lie on the table for the present.

The bill respecting bank notes refused to be redeemed with specie was read a second time and referred to a committee of the whole on to-morrow.

The engrossed bill from the Senate entitled an act, supplemental to an act, entitled an act, supplementary to an act, entitled an act, fixing the seats of justice in all new counties hereafter to be laid off; was read and passed to its second reading on to-morrow.

The memorial of the General Assembly of the state of Indiana, to Congress on the subject of public lands, was read a third time and adopted.

Ordered, That Mr. Milroy inform the Senate.

The bill to divorce Ephraim Dukes from his wife Martha Dukes was read a second time and,

Thereupon,

Mr. Sullivan of Knox moved that the further consideration thereof be indefinitely postponed; which motion was decided in the negative.

Ordered, That the same be read a third time on to-morrow.

The bill providing for the collection of fines in certain cases was read a second time and referred to a committee of the whole on to-morrow.

The bill providing for proceeding at law and in equity, against corporations, was read a second time and referred to a committee of the whole on to-morrow.

The bill to reduce fees and salaries, was read a second time and,

On motion by Mr. Sullivan of Knox,

Resolved, That the further consideration thereof be indefinitely postponed;

And on the question being put, the ayes and noes be

ing demanded by Messrs. Clark and Milroy; those who voted in the affirmative were,

Messrs. Battell, Crawford, Gibson, Grass, Green, Hay, Holman, John, McDonald, Sturgus, Sullivan of Knox, Sullivan of Jefferson, Swaine and Tipton—14.

Those in the negative were,

Messrs. Clark, Chambers, Ferris, Goudie, Hanna, merrell, milroy, Powell, Robb, Ross, Zenor and Graham, Speaker—12.

The engrossed bill for the benefit of John De Pauw, was read a third time and passed.

Ordered, That the same be entitled an act, and that Mr. Milroy inform the Senate thereof.

Mr. Milroy gave notice that he will introduce a bill reducing the pay of the members of the General Assembly to one dollar and fifty cents per day.

The bill incorporating New Albany school, was read a second time and recommitted to the select committee; who reported it, to consider and amend the same.

The bill granting pecuniary relief was read a second time and referred to a committee of the whole on Monday next.

The House adjourned till to-morrow morning at nine o'clock.

Wednesday, December 13th, 1820.

The House met pursuant to adjournment.

The Speaker submitted a communication from John G. Henderson, trustee of the public seminary for Washington county, stating that for the year 1820, he has received one hundred and twenty seven dollars and seventy five cents. Total amount in his hands, three hundred and sixty eight dollars and seventy five cents.

Also a similar communication from Samuel Jones, trustee of the public seminary of Posey county, stating that since the date of his last return he has received one hundred and one dollars.

Mr. Ross from the committee to whom was referred, the bill to incorporate New-Albany school, reported, that the committee had according to order, considered and amended the same in some respects, which amendments were read and concurred in by the house.

Mr. Hay from the committee to whom was referred the bill to incorporate the Grand Lodge of Indiana, reported that the committee according to order, had considered said bill, and had directed him to prepare and submit a bill to amend an act, entitled an act for the appointment of trustees, to receive deeds for lots or lands, given or purchased for the use of schools or meeting-houses approved January 1, 1820. ●

The said bill was twice read and referred to a committee of the whole house on to morrow.

Mr. Yandes from the committee to whom was referred the petitions from Franklin, Wayne and Fayette counties praying a part of Wayne and Franklin counties, to be attached to the county of Fayette, reported a bill for that purpose ; which bill was read and passed to its second reading on to-morrow.

The Speaker submitted a communication from the trustees of the state seminary of Indiana, which is as follows :

To the honorable the Senate and House of Representatives of Indiana, at Corydon assembled.

The Trustees of the state seminary of Indiana, beg leave to report :

That after having executed their bond with security to the Governor of the state of Indiana, and taken the oath prescribed by law, four of the trustees, viz : William Lowe, Jonathan Nicholas, David H. Maxwell, and John M. Jenkins, met on the first Monday in June last, at Bloomington, but Charles Dewey and Jonathan Lindley, the other two persons appointed, not having attended it was thought advisable, to defer until the next month the selection of a site for the seminary.

The trustees present particularly wishing to have a full board before the business should be transacted.

Accordingly on the day of July last, the following trustees met, viz: William Lowe, Jonathan Nichols, David *H. Maxwell*, John M. Jenkins and Charles Dewey, who having also complied with the requisitions of the law, the whole of the trustees present (Jonathan Lindley having failed to attend) proceeded, forthwith to the reserved township, and in obedience to the act establishing the state seminary, they selected a section on the reserved township, most contiguous to Bloomington, being the west half of section four, and east half of section five, containing by computation six hundred and six acres and twenty nine hundredths. — The site chosen for the seminary is the N. W. quarter of section four, about one quarter of a mile due south from Bloomington on a beautiful eminence, and convenient to an excellent spring of water, the only one on the section selected that could with convenience answer the purposes of the seminary.

After having made the above selections the trustees proceeded to appoint James Borland esq. agent for the seminary, who having given bond with security, as required by law, proceeded under the direction of the trustees, to lay off the seminary square, streets, lots &c. as is more fully shown by the plot herewith submitted. on the 13th and 14th days of last March, the sale of the seminary lots took place on the following terms to-wit: one fifth part of the purchase money was required in hand, and the balance in three equal and annual instalments, and the lots with the exception of Nos. 8 and 4 (reserved on the account of the spring) sold for the sum of six thousand and forty two dollars and fifty cents:

The trustees feeling anxiously solicitous, that the proceeds of the sale should be such as to meet the expectations of the legislature, and also enable them to erect the building contemplated by the act of the last ses-

sion of the Assembly, thought it best not to exact the fifth part in either land office money or specie, as under the existing difficulty in procuring such funds, a demand of the kind must have very materially reduced the amount of the sales. The purchasers notes with security call for dollars, and it is with the legislature to say (as was understood at the sales) what money shall be received in payment of said notes. The trustees yet have done nothing towards erecting a building for the reception of students or for the use of a professor, but propose commencing as early as practicable next spring. As it is made the duty of the trustees to lay before the present General Assembly a plan of a building, the accompanying one, on the plan of Princeton college in New-Jersey is submitted.

The trustees are aware that the plan proposed, may be objected to on the account of its magnitude, but when they reflect that the constitution of our state contemplates this institution as gradually rising from the humble grade of a seminary, in which the elementary parts of an education only can be had, to that of a full grown university, in which every thing appertaining to science shall be taught, that it is possible for the human intellect to comprehend ; they are fully convinced that it would be improper to commence a building, which in a few years would be found inadequate to the purposes intended, and as it would respect future improvements, difficulties which would be irreparable.

The expenses of advertising the sale of lots not being known until the printers forward their accounts the trustees have it not in their power to make a statement of expenditures.

All which is respectfully submitted.

DAVID H. MAXWELL,
JONATHAN NICHOLS,
JOHN M. JENKINS.
WILLIAM LOWE.

Dec. 2, 1820.

Trustees of state Seminary.

Which communication was read and referred to the committee on education.

On motion,

The committee some days since appointed to consider the subject of the state seminary, are discharged from a further consideration of that subject, and the same is referred to the committee on education and Mr. Chambers is added to that committee.

A message from the Senate by Mr. Beard,

Announcing that the Senate have passed an engrossed bill from this house, entitled an act to amend an act, to prevent certain immoral practices, approved Jan. 3, 1817 with an amendment, in which the concurrence of this house is asked. The amendment was read and,

On motion,

Resolved, That the house do concur in the said amendment.

Ordered. That Mr. Ferris inform the Senate thereof.

Mr. Milroy asked and obtained leave to introduce a joint resolution of the General Assembly of the state of Indiana, authorising the associate judges of Washington county to appoint a clerk in vacation; which was twice read (the rule being dispensed with) and ordered to be engrossed and read a third time to day.

On motion by Mr. Hay.

Resolved, That on this day at two o'clock this house will elect a sergeant at arms.

Mr. Chambers submitted a remonstrance against any alteration in the road from New-Albany to Hindostan, which was read and ordered to lie on the table.

On motion by Mr. Powell,

The house proceeded to consider the orders of the day.

The bill relative to the incorporation of companies for manufacturing purposes, was read a second time and referred to the committee of the whole on to-morrow.

The engrossed bill from the Senate entitled an act

establishing a permanent seat of justice for Wayne county, was read a second time and referred to a committee of the whole on to-morrow.

The bill to amend an act entitled an act, supplemental to an act, entitled an act for opening and repairing public roads and highways, approved December 31st. 1819, was read a second time and referred to a committee of the whole on to-morrow.

The engrossed bill to repeal an act, entitled an act to amend an act, entitled an act, subjecting real and personal property to execution, approved January 18th, 1818, was read a third time and on the question of its passage, the ayes and noes being demanded by Messrs. Robb and Ross,

Those who voted in the affirmative were,

Messrs Battell, Chambers, Clark, Ferris, Goudie, Greene, Hay, Hanna, McDonald, Merrill, Powell, Robb, Ross, Sturgus, Sullivan of Knox, Swaine, Yandes and Graham, Speaker—18

Those who voted in the negative were,

Messrs. Crawford, Gibson, Grass, Holman, John, Sullivan of Jefferson and Tipton—7.

Ordered, That the same be entitled an act, and that Mr. Hay inform the Senate thereof.

The bill prescribing what paper shall be deemed current, and for other purposes, was read a second time and referred to a committee of the whole on to-morrow.

The engrossed bill from the Senate, entitled an act for the relief of James Thompson, Jesse W. Knighten and David Downs, was read a second time, and referred to a committee of the whole on to-morrow.

The bill to authorize a view of a portion of the road from Bethlehem to Brownstown, was read a second time and referred to a committee of the whole on to-morrow.

The bill for the relief of persons owning property in Corydon, was read a second time, and referred to a committee of the whole on to-morrow.

The bill for the formation of a new county out of the counties of Jackson and Delaware, was read a second time and referred to a committee of the whole on to-morrow.

The joint resolution from the Senate, on the subject of voting, was read a second time, and was referred to the committee of elections.

The bill to amend the act for reducing into one act all the acts and parts of acts regulating proceedings in actions at law and suits in chancery, was read a second time, and referred to a committee of the whole on to-morrow.

The bill prohibiting the introduction of bank notes issued by banks without the state, that will not be received in payment for lands, and for other purposes, was read a second time, and referred to a committee of the whole on to-morrow.

The bill supplementary to an act, to locate certain public highways therein named, was read a second time and referred to a committee of the whole on to-morrow.

The bill to change the state road from New-Albany to Hindostan, was read a second time, and was (with the remonstrance against the change contemplated by the same) referred to a committee of the whole on to-morrow.

The house, according to order, now resolved itself into a committee of the whole, to consider the memorial to Congress (from the Senate) on the subject of taxing lands purchased since July 1st, 1820, Mr. Goudie in the chair, and after some time spent in the consideration thereof, Mr. Speaker resumed the chair, and Mr. Goudie reported that the committee of the whole, according to order, had considered said memorial, and had made some amendments thereto, in which he asked the concurrence of the house.

On motion,

Resolved, That the house do concur in said amendments.

Ordered, That the Senate be informed thereof.

The house adjourned till two o'clock.

The house met pursuant to adjournment.

The engrossed joint resolution of the General Assembly of the state of Indiana, authorizing the associate judges of Washington county to appoint a clerk in vacation, was read a third time and adopted.

Ordered, That the Senate be informed thereof, and their concurrence requested.

The house now proceeded by ballot to elect a sergeant at arms, and the ballots being counted, it appeared that Francis N. Moore had twenty-three votes, which being a majority of the whole number of members, he was declared duly elected.

The bill to facilitate prosecutions for perjury, was read a second time and referred to a committee of the whole on to-morrow.

The joint resolution to promote education—the bill to amend an act to exempt certain property from being subject to execution, each passed their second reading, and are referred to a committee of the whole on to-morrow.

The engrossed bill from the Senate, entitled an act for the revision of the statute laws, was read a second time and passed to its third reading on to-morrow.

A message from the Senate by Mr. Gregory, Announcing that the Senate have passed the engrossed joint resolution, authorizing the associate judges of Washington county to appoint a clerk in vacation. (which originated in the House of Representatives,) with an amendment, in which the concurrence of the house is requested.

The said amendment was read and concurred in.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Daniel.

Announcing that the Senate have passed the joint resolution, which originated in the House of Representa-

tives, on the subject of an interchange of statute laws with the several states of the United States, without any amendment.

The bill to amend an act, entitled an act regulating the militia, and the bill to locate a road from Lawrenceburgh to St. Mary's, each passed their second reading, and were referred to a committee of the whole on tomorrow.

The engrossed bill from the Senate, entitled an act for the relief of George White, on the subject of a ferry, was read the third time, and on the question of its passage, the Ayes and Noes being demanded by messrs. Ross and Hay, those who voted in the affirmative were,

Messrs. Battell, Chambers, Crawford, Ferris, Goudie, Grass, Green, Hanna, John, McDonald, Merrell, Powell, Sullivan of Jefferson, Sullivan of Knox, Swaine, Yandes and Graham, Speaker—17.

Those who voted in the negative were,

Messrs. Clark, Gibson, Hay, Holman, Milroy, Ross, Robb, Sturgus and Tipton—9.

Mr. Lilly communicated to the house a written message from his Excellency the Governor, accompanied by a communication from the Adjutant General, recommending certain amendments to the militia law; which communications were read and referred to the committee on military affairs.

The house, according to order, resolved itself into a committee of the whole, to consider the bill to amend an act, entitled an act locating certain roads and highways therein named, Mr. Tipton in the chair, and after some time spent in considering the same, the Speaker resumed the chair, and Mr. Tipton reported that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Accordingly leave to sit again was granted.

The engrossed bill from the Senate, entitled an act

supplementary to an act, entitled an act supplementary to an act fixing seats of justice in all new counties hereafter to be laid off in this state, was read a second time, and referred to a committee of the whole on to-morrow.

The house, according to order, resolved itself into a committee of the whole to consider the bill to attach part of the new purchase to the county of Randolph, Mr. Gibson in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Gibson reported that the committee of the whole, according to order, had considered the said bill, and had made some progress in the consideration thereof, but not having had time to go through therewith, had instructed him to ask leave to sit again.

And leave to sit again was granted.

The bill to amend the act, entitled an act to license and regulate taverns, was read a second time, and referred to a committee of the whole on to-morrow.

A message from the Governor by Mr. Lilly,

Announcing that his Excellency did, on this day, approve and sign a joint resolution of the General Assembly of the state of Indiana, concerning the treasurer of state.

The bill to repeal the charters of all banks, and to remove the branch banks that may refuse to redeem their notes with specie after the time therein specified, was read a second time, and,

Thereupon,

Mr. Merrell moved that the further consideration of the said bill be indefinitely postponed; and the question on that motion being put, and the Ayes and Noes being demanded by Messrs. Robb and Ross, those who voted in the affirmative were,

Messrs. Crawford, Merrell, Sturgis and Tipton—4.

Those who voted in the negative were,

Messrs. Clark, Chambers, Ferris, Gibson, Goudie, Grass, Green, Hanna, Holman, John, McDonald, Mil-

roy, Powell, Robb, Ross, Swaine, Yandes and Graham, Speaker—18.

On motion,

The said bill was referred to a committee of the whole on to-morrow.

And the House adjourned till to-morrow morning at nine o'clock.

Thursday Morning, 14th December, 1820.

The house met pursuant to adjournment.

The Speaker laid before the house a communication from Richard Tyner, trustee of the public seminary for Fayette county, from which it appears that since November 1819, to December 2d, 1820, he has received

\$39 44 1 4

Amount remaining on hand in Nov. 1819, 13 00

Total amount on hand, 52 44 1 4

Also, a similar communication from Isaac Naylor, trustee of the public seminary of Clark county, stating that from the 11th day of December, 1819, to January 22d, 1820, he has received

\$175 76 1 4

Also, a communication from Jesse Cole, on the subject of public lands, which was read, and ordered to lie on the table.

Mr. Milroy, from the committee to whom was referred the petition of Peter Smith, praying an investigation of the conduct of Isaac Shelby, clerk of the Clark circuit court, reported that the said committee have had the subject referred to them under consideration, and have examined the witnesses referred to by said petition, namely—John F. Ross and Joseph Gibson, Esqrs. members of this house, and that from the statement of Mr. Ross, it appears that he is not acquainted with any of the facts charged against said Shelby of his own knowledge, he having become acquainted therewith by

an investigation of the subject, on an indictment against said Shelby for extortion in the case complained of by Mr. Smith. That the committee have received the written testimony of Mr. Gibson, which they lay before the house, that being the only testimony which the committee obtained.

That from mature deliberation, the committee deem it inexpedient to report any decisive opinion as to the guilt or innocence of said Shelby, but submit the case to the house for their consideration and determination.

The said report, together with the written evidence therein alluded to, were read and referred to a committee of the whole on to morrow.

A message from the Senate by Mr. Polke,

Announcing that the Senate refuse to concur in the amendment made by the House of Representatives to the memorial to Congress on the subject of taxing lands purchased since July 1st, 1820.

On motion by Mr. Sullivan,

Resolved, That this house insist on the said amendment.

Ordered, That Mr. Sullivan inform the Senate.

A message from the Senate by Mr. Bartholomew,

Announcing that the Senate have concurred in the amendment made in the House of Representatives, to the bill for the relief of George White, on the subject of a ferry.

A message from the Senate by Mr. Polke,

Announcing that the Senate adhere to the amendment made by that body to the memorial to Congress on the subject of taxing lands purchased since July 1st, 1820, and that they have appointed Messrs. Polke and Cotton a committee of conference on their part, and request that a similar committee be appointed by this house.

Messrs. Sullivan of Knox and Clark are appointed a committee of conference on the part of this house.

Ordered, That Mr. Sullivan of Knox inform the Senate thereof.

On motion by Mr. Sullivan of Jefferson,

Resolved, That the judiciary committee enquire what amendments are necessary to the act establishing the judicial circuits therein named.

Mr. Grass, from the committee to whom was referred the petition of Isaac Hudson, Amelia McMurtry and Tubby Bloyd, reported that the committee had directed him to prepare and submit a bill for the relief of the administrators of the estate of John McMurtry deceased and Tubby Bloyd.

Which bill was read and passed to its second reading on to-morrow.

Mr. Merrell asked and obtained leave to submit the memorial of sundry citizens of Wayne county, on the subject of the seat of justice for that county.

Which was read and referred to the committee of the whole to whom was referred the bill fixing the permanent seat of justice for Wayne county.

Mr. Sturgus, from the committee to whom was referred the petition on the subject of legalizing the proceedings of the board of county commissioners of Vigo county, reported that the said committee had directed him to prepare and submit a bill, entitled a bill legalizing the board of county commissioners of Vigo county and for other purposes.

Which bill was read and passed to its second reading on to-morrow.

Mr. Tipton gave notice that, on to-morrow or some subsequent day of the present session, he will ask leave to bring in a bill to cause all the chartered banks in this state to commence and continue specie payments or surrender their charters, and to grant replevin.

Mr. Ross, from the committee for enrolled bills, reported that the said committee had on yesterday presented to his Excellency the Governor, for his approval and signature, a joint resolution of the General As-

sembly of the state of Indiana, authorizing the associate judges of Washington county to appoint a clerk in vacation.

On motion,

The house proceeded to consider the orders of the day—and,

Thereupon,

The house, according to order, resolved itself into a committee of the whole to consider the report of the select committee on the subject of the apportionment of representation, Mr. John in the chair, and after some time spent in considering the same, the Speaker resumed the chair, and Mr. John reported, that the committee had adopted the following resolution :

Resolved, That the committee appointed on the subject of apportioning the representation be instructed to bring in a bill, allowing seven hundred electors as the ratio of a representative, and that the ratio of a senator be one thousand eight hundred.

The question being put, will the house concur in the report of the committee of the whole? And the Ayes and Noes being demanded by Messrs. Sullivan of Knox and Ferris, those who voted in the affirmative were,

Messrs. Clark, Ferris, Goudie, Holman, McDonald, Merrell, Milroy, Powell, Robb, Sturgus, Sullivan of Knox, Swain, Yandes and Graham, Speaker—14.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Gibson, Grass Green, Hanna, John, Ross, Sullivan of Jefferson, Tipton and Zenor—13.

And so the report of the committee of the whole was concurred in, and the resolution adopted.

And the house adjourned till two o'clock.

The House met pursuant to adjournment.

On motion,

The consideration of the orders of the day are postponed for the present.

Mr. Hay, from the committee to whom was referred the resolution on the subject of preferring articles of impeachment against Jacob Brookhart, a justice of the peace for Clark county, reported that the said committee had directed him to prepare and submit the following articles of impeachment, to wit :

STATE OF INDIANA, Ss.

ARTICLES of impeachment against Jacob Brookhart, one of the justices of the peace for Jeffersonville township, in the county of Clark, and state aforesaid, preferred by the House of Representatives of said state, and exhibited to the Senate thereof.

Article 1st. That the said Jacob Brookhart, an acting justice of the peace for Jeffersonville township, in the county of Clark, and state aforesaid, (and the said Jacob being and residing within the said township) has been and is guilty of mal administration in his said office of justice of the peace, to wit : at the county of Clark aforesaid, and within the said state.

Specification 1st. That the said Jacob Brookhart, a justice of the peace as aforesaid, on the fifteenth day of November, in the year of our Lord one thousand eight hundred and nineteen, at the county of Clark, and within the state aforesaid, while acting as such justice, and by virtue of, and under color of his said office, did wilfully, corruptly, and in violation of his duty as such justice, forcibly take, arrest and carry out of this state a certain man of color, named Isaac Crosby, without first establishing any claim to said Isaac under the laws of the state of Indiana, or under the laws of the United States, and without the consent of the said Isaac, against the form of the statute of this state, entitled "an act to prevent manstealing," approved December 30th, 1816, and against the peace and dignity of the state of Indiana.

Specification 2. That the said Jacob Brookhart, justice of the peace as aforesaid, on the fifteenth day of November, in the year of our Lord, one thousand eight hundred and nineteen, at the county of Clark, and in the state aforesaid, while acting as such justice by virtue of, and under color of his said office, did wilfully aid and abet the unlawful and forcible arrest of one Isaac Crosby, a man of color, with a design to take him the said Isaac Crosby, from and out of said state, without first establishing any claim to the said Isaac, under the laws of the state of Indiana, or according to the laws of the United States, against the consent of the said Isaac, contrary to the form of the statute in such case made and provided, entitled "an act to prevent manstealing" approved December 30, 1816, and against the peace and dignity of the state of Indiana.

Specification 3. That the said Jacob Brookhart on the fifteenth day of November, in the year of our Lord, one thousand eight hundred and nineteen at the Charlestown township, in the county of Clark, and state aforesaid, then and still being and acting, justice of the peace, for the county of Clark and state aforesaid, and resident in the Jeffersonville township, and not having a residence in Charlestown township (according to the provisions of the constitution and laws of the state of Indiana) did on the day and year last aforesaid, knowingly, wilfully, and corruptly, and without any proper authority, issue a warrant, under his hand, directed to a Mr. Hughes as constable of Jeffersonville township, commanding him forthwith, to bring one Isaac Crosby, (a man of color) before him the said justice, which said warrant was so issued by the said justice, contrary to law (he not then being within the township, called the Jeffersonville township, where he the said justice was cormorant and had his residence) and with an intent to aid and abet the unlawful taking, arresting and carrying out of the state of Indiana, the said Isaac Crosby, a man of color, against the will of the said Isaac, with-

out first having established any claim, to the said Isaac and without any other person having first established any claim to the said Isaac, under the laws of the state of Indiana, or under the laws of the United States, in violation of his duty as a justice of the peace, in contempt of the constitution and laws, and against the peace and dignity of the state of Indiana.

Which report was read and,

On motion by Mr. Hay,

Resolved, That the house concur therein.

A message from the Governor by Mr. Lilly,

Announcing that His Excellency did on this day approve and sign,

A joint resolution of the General Assembly of the state of Indiana, authorising the associate judges of Washington county to appoint a clerk in vacation which originated in the House of Representatives.

Francis N. Moore who was on yesterday elected serjeant at arms, was now called into the Representatives' chamber, and was sworn into office in the usual form.

On motion by Mr. Ross,

Resolved, That the Senate be informed, that the House of Representatives have preferred articles of impeachment against Jacob Brookhart, a justice of the peace in Clark county and have appointed Messrs. Sullivan of Knox, Sullivan of Jefferson, Merrell, Battell, Hay, and Ross, managers, and demand justice, and that a day be set when the Senate will hear the said case, and that process be asked of the Senate, to compel the attendance of said Brookhart, to answer to said articles of impeachment, and as witnesses on the part of the House of Representatives Robert Hopkins senr. William Heth, Johnson Conway, James Marshal, Levi Owen and William Wright, of Clark county and George W. Garretson of Floyd county; and further that Francis N. Moore is appointed by this house serjeant at arms.

Ordered, That Mr. Ross inform the Senate.

A message from the Senate by Mr. Slaughter,

Announcing that on this day, John N. Dunbar, was sworn into office as their assistant secretary, and has proceeded to the duties of said office.

A message from the Senate by Mr. Harrison,

Announcing that the Senate have adopted a memorial to Congress on the subject of public lands, which originated in this house, without any amendment.

On motion,

The house proceeded to consider the orders of the day.

The house resolved itself into a committee of the whole to consider the bill attacking part of the new-purchase to Randolph county,

Mr. Tipton in the chair, and after some time spent therein,

The Speaker resumed the chair, and Mr. Tipton reported that the committee of the whole, according to order had considered said bill, and had amended the same in some respects, in which he asked the concurrence of the house.

On motion,

The house concurred therein.

The house according to order resolved itself into a committee of the whole to consider the bill appointing commissioners to lay off a town on the site located as a permanent seat of government,

Mr. Chambers in the chair, and after some time spent in considering the said bill,

The Speaker resumed the chair, and Mr. Chambers reported that the committee, according to order had taken the said bill into consideration and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Leave to sit again was granted.

Mr. Sullivan of Knox from the committee of confer-

rence to whom was referred the disagreement between the two houses, respecting the amendment made in the House of Representatives to the memorial to Congress, on the subject of taxing certain land, reported,

That the committee on the part of this house insisted on said amendment, and that the committee on the part of the Senate, had receded from their objection.

Resolved, That the house concur in said report.

Ordered, That the Senate be informed thereof.

The engrossed bill to repeal an act, entitled an act, defining seals to be affixed to instruments of writing, and for other purposes was read a third time, and on the question of its passage, the ayes and noes being demanded by Messrs. Ross and Powell, those who voted in the affirmative were,

Messrs. Clark, Chambers, Ferris, Gibson, Goudie, Grass, Greene, Hanna, Holman, McDonald, Powell, Robb, Sullivan of Knox, Sullivan of Jefferson, Swaine, Tipton and Graham, Speaker—17.

Those who voted in the negative were,

Messrs. Battell, Crawford, Hay, John, Merrell and Ross—6.

And so the bill passed and was entitled an act &c.

Ordered, That Mr. Ferris inform the Senate thereof.

The engrossed bill from the Senate entitled an act divorcing Ephraim Dukes jun. from his wife Martha Dukes, was read a third time and passed.

Ordered, That the same be entitled an act &c. and that the Senate be informed thereof.

The house according to order resolved into a committee of the whole to consider the bill providing for proceedings at law. and suits in chancery, against corporations,

Mr. Sullivan of Jefferson in the chair, and after some time spent therein,

The Speaker resumed the chair and Mr. Sullivan reported that the committee of the whole had considered

the said bill and had made an amendment thereto, in which he asked the concurrence of the house.

Resolved, That the house concur therein.

Mr. Sullivan of Jefferson moved so to amend the said bill as that the person summoned as garnishee be admitted to pay the judgment which may be obtained against him as such, in such funds, as would be a legal tender to the corporation.

Which motion was negatived.

Ordered, That the said bill be engrossed for a third reading on to-morrow.

The House adjourned till to-morrow morning at nine o'clock.

Friday, December 15th, 1820.

The House met pursuant to adjournment.

A message from the Senate by Mr. Drew,

Announcing that the Senate have passed an engrossed bill from this house, entitled an act for the relief of sheriffs, with an amendment,

Also, an engrossed bill from this house, entitled an act for the benefit of John De Pauw, with an amendment—in each of which amendments the concurrence of this house is asked:

The amendment to the said first mentioned bill was read and,

Thereupon,

Resolved, That the house do not concur therein.

The amendment to the said second mentioned bill was read and concurred in.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Polk,

Announcing that that body has concurred in the report of the joint committee of conference, to whom was referred the disagreement between the two houses. relative to the memorial to Congress, on the subject of axing certain land, also:

That the Senate have passed, an engrossed bill entitled an act, providing for running and marking the boundary line between the states of Indiana and Illinois.

The said bill was read and passed to its second reading on to-morrow.

A message from the Senate by Mr. Gray,

Announcing that they have passed an engrossed bill entitled an act, providing for the collection of debts in a summary way in certain cases.

The said bill was read and passed to its second reading on to-morrow.

Mr. Sullivan of Knox from the committee on that subject, reported a bill organizing a county out of Sullivan and Daviess ; which bill was read and passed to its second reading on to-morrow.

A message from the Senate by Mr. Baird,

Announcing that that body insist on their amendment to the bill for the relief of sheriffs.

Mr. Ross from the committee on enrolled bills, reported that the engrossed bill for the relief of George White on the subject of a ferry, had been examined by that committee, and that the same is truly enrolled,

Whereupon,

The Speaker signed the same.

Ordered, That the Senate be informed thereof, and the signature of the President requested.

Mr. Robb submitted the petition of George Rapp and his associates ; which was read and referred to the committee on the subject of mills and millers.

Mr. Powell from the committee of elections, to whom was referred the joint resolution, from the Senate on the subject of voting, reported that the said committee had considered the said joint resolution and had amended the same in some respects, in which amendments he asked the concurrence of the House.

On motion,

Resolved, That the house do not concur therein.

The said resolution was read a third time (the rule being dispensed with) and adopted.

Ordered, That the Senate be informed thereof.

Mr. Powell, from the committee on elections, reported that the committee had directed him to prepare and submit a bill to amend an act, entitled an act regulating elections.

The said bill was read and passed to its second reading to-morrow.

Mr. Ferris, from the committee of ways and means, reported that the committee had directed him to prepare and submit a bill making appropriations for the year 1821.

On motion by Mr. Ross,

Messrs. Ross and Tipton are appointed a committee of conference on the disagreement between the two houses, relative to the bill for the relief of sheriffs.

Ordered, That the Senate be informed thereof.

Mr. Powell gave notice that he will, on to-morrow, move for leave to bring in a bill giving further power to the board of county commissioners for Dearborn county:

Mr. Chambers gave notice that on to-morrow or some other subsequent day of the present session, he will ask leave to introduce a bill to revive an act regulating marriages and for other purposes.

Mr. McDonald asked and obtained leave to introduce a bill requiring free people of color emigrating to this state to bring with them a certificate of their freedom.

Which was read and passed to its second reading on to-morrow.

Mr. Merrell, from the select committee to whom was referred the bill for assessing and collecting the revenue, reported that the committee had taken the said bill under consideration, and had made sundry amendments to the same.

The said bill with the amendments were read and referred to a committee of the whole on Tuesday next.

Resolved, That 50 copies of the said bill be printed for the use of this house.

On motion by Mr. Ross,

Resolved, That the trustees of the town of Jeffersonville have leave to withdraw their petition and documents on the subject of a ferry.

Mr. Ross, from the committee for enrolled bills, reported that the memorial to Congress on the subject of taxing certain lands, had been examined and found truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the Senate be informed thereof.

And the house adjourned till one o'clock.

The House met pursuant to adjournment.

Mr. Gibson, from the committee on that subject, reported a bill to amend the act, entitled an act regulating mills and millers, which was read and passed to its second reading on to-morrow.

Mr. Ferris, from the committee of ways and means, submitted a joint resolution authorizing the treasurer of state to employ some person to transact the business of the state; which was twice read, (the rule being dispensed with) and was ordered to be engrossed and read a third time now.

The said resolution having been engrossed, was read a third time and passed.

Ordered, That the Senate be informed thereof.

Mr. Yandes, from the committee on that subject, submitted a bill to establish a permanent state road from the Ohio state line to the seat of government.

The said bill was read, (the rule being dispensed with) was read a second time, and referred to the committee of the whole to whom was referred the documents on the same subject.

The engrossed bill providing for proceedings in ac-

tions at law and suits in equity against corporations, was read a third time, and on the question of its passage, the Ayes and Noes being demanded by Messrs. Robb and Sullivan of Knox, those who voted in the affirmative were,

Messrs. Clark, Gibson, Goudie, Green, Hanna, Holman, John, McDonald, Powell, Robb, Sullivan of Knox, Swaine, Zenor and Graham, Speaker—14.

Those who voted in the negative were,

Messrs. Chambers, Crawford, Ferris, Grass, Ross, Sullivan of Jefferson, Tipton and Yandes—8.

And so the said bill passed, and was entitled an act.

Ordered. That the Senate be informed thereof.

The engrossed bill attaching a part of the new purchase to Randolph county, was read a third time, passed, and was entitled an act.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Daniel,

Announcing that the Senate have adopted a joint resolution, authorizing the treasurer of state to employ a person to transact the business of the state, without any amendment.

The house, according to order, resolved itself into a committee of the whole to consider the bill restricting the issuing of fee bills in certain cases and for other purposes, Mr. Clark in the chair, and after some time spent in the consideration of the said bill, the Speaker resumed the chair, and Mr. Clark reported that the committee of the whole, according to order, had taken the said bill into consideration, and had made sundry amendments thereto, in which he asked the concurrence of the house.

Resolved, That the house concur in said amendments.

Ordered, That the said bill be engrossed and read a third time on to morrow.

A message from the Senate by Mr. Drew,

Announcing that the Senate have appointed Messrs.

Drew and Gray a committee of free conference to act in conjunction with a similar committee already appointed on the part of the House of Representatives, on the objections of the House of Representatives to the amendments made by the Senate to the bill from the House of Representatives, for the relief of sheriffs.

A message from the Senate by Mr. Bartholomew, Announcing that the Senate have adopted the following resolution, to wit :

Resolved, That the secretary of state be requested to lay before the Senate a statement of the census of the different counties throughout the state ; and whether the returns were made officially or otherwise ; and from those counties from which no returns are received, to furnish a statement of the number of votes given for a member to Congress at the general election in August last.

A message from the Senate by Mr. Daniel, Announcing that the Senate have adopted the following resolution, to wit :

Resolved, That the managers on the part of the House of Representatives be requested, in all cases of impeachment, to make a brief or briefs of the law upon which they rely ; and that the party impeached be requested to furnish a like brief in his defence by himself or counsel.

A message from the Senate by Mr. Harrison, Announcing that the Senate refuse to concur in the amendment made by the House of Representatives to a joint resolution on the subject of voting.

On motion,

The house resolved itself into a committee of the whole, to consider the bill subjecting bank notes, refused to be redeemed with specie on demand, to interest, Mr. Holman in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Holman reported that the committee of the whole, according

to order, had considered the said bill, and had made no amendment thereto.

Ordered, That the said bill lie on the table for the present.

According to order, the house resolved itself into a committee of the whole, to consider the bill providing for the collection of fines in certain cases, Mr. Sullivan of Knox in the chair, and after some time spent in considering the said bill, the Speaker resumed the chair, and Mr. Sullivan reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments thereto, in which he asked the concurrence of the house.

Thereupon,

Resolved, That the house do concur in the said amendments.

Mr. Ross, from the committee for enrolled bills, reported that on this day, the bill for the relief of George White, was presented to his Excellency the Governor for his approval and signature.

On motion,

Resolved, That the house recede from their amendment to the joint resolution on the subject of voting, which originated in the Senate.

And the House adjourned till to-morrow morning at nine o'clock.

Saturday, December 16th, 1820.

The house met pursuant to adjournment.

Mr. Powell, pursuant to notice, introduced a bill giving further power to the board of county commissioners of Dearborn county.

Which bill (the rule being dispensed with) was twice read and referred to a committee of the whole on Monday next.

Mr. Ross, from the judiciary, reported that the said

committee had, according to order, considered a bill to amend the acts regulating the jurisdiction and duties of justices of the peace, which was referred to them, and had directed him to report the same without amendment.

Resolved, That the said bill be referred to a committee of the whole on Monday next.

Mr. Chambers asked and obtained leave to introduce a bill to repeal the fourth section of an act, entitled an act to regulate marriages and for other purposes.

Which bill (the rule being dispensed with) was twice read and referred to a committee of the whole on Monday next.

On motion,

The house proceeded to consider the orders of the day—and,

Thereupon,

The engrossed bill from the Senate, entitled an act providing for running and marking of the line between this state and the state of Illinois, was read a second time and was referred to a committee of the whole, and was made the order of the day for this day.

Mr. Ross, from the joint committee for enrolled bills, reported that the joint resolution authorizing the treasurer of state to appoint some person to transact the business of the state therein specified, was this day examined by the said joint committee, and that the same is truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, that the Senate be informed thereof.

The house now, according to order, resolved itself into a committee of the whole, to consider the engrossed bill from the Senate, entitled an act providing for the running and marking of the line between this state and the state of Illinois, Mr. Powell in the chair, and after some time spent in the consideration of the said bill, the Speaker resumed the chair, and Mr. Powell

reported, that the committee of the whole, according to order, had taken the said bill into consideration, and had directed him to report the same without amendment.

The rule being dispensed with, the said bill was read a third time and passed.

Ordered, That the same be entitled an act, and that the Senate be informed of the passage thereof, and their concurrence in the amendments made thereto by this house requested.

According to order, the house now resolved itself into a committee of the whole, to consider the bill to amend the act entitled an act locating certain permanent roads and highways therein named and for other purposes, Mr. Hay in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Hay reported, that the committee of the whole, according to order, had taken the said bill into consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Leave not being granted, the said bill was referred to a select committee, composed of Messrs. Ferris, Merrell, Gibson, Tipton, Battell, John, Clark and Yandes to consider and amend the same.

A message from the Senate by Mr. Harrison,

Announcing that the Senate have adopted the following resolution, to wit:

Resolved, That the President of the Senate be and he is hereby authorized to issue a writ of *veniri facias* directed to the seargent at arms, commanding him to summon Jacob Brookhart to appear before the Senate as a court of impeachment for the trial of high crimes and misdemeanors, on a day in said, to answer an impeachment exhibited against him by the House of Representatives; and also on the application of the managers appointed by the House of Representatives, to conduct the impeachment aforesaid, to issue process, or on

the application of the said Jacob Brookhart respectively to require the attendance of such witnesses as either of the parties may judge necessary.

Resolved, that Thursday the 21st instant will be a suitable and convenient time for the commencement of the trial of said impeachment.

Resolved, that the President of the Senate shall preside in said court of impeachment, and that all questions shall be put through him, they having first been reduced to writing by the member proposing them.

The said resolutions were read and referred to the managers heretofore appointed to prosecute the articles of impeachment preferred against Jacob Brookhart, justice of the peace, &c. for their consideration.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

A message from the Governor by Mr. Lilly,

Announcing that his Excellency did on this day approve and sign a joint resolution of the General Assembly of the state of Indiana, authorizing the treasurer to employ some person to transact the business of the state therein specified.

Mr. Lilly also communicated a written message from his Excellency on the subject of a contract between the state and certain citizens of Harrison county.

Which he handed in at the clerk's table, where it was read and referred to the committee of ways and means to consider and report thereon.

The house, according to order, resolved itself into a committee of the whole, to consider the bill for the formation of a new county out of the counties of Jackson and Delaware, Mr. Merrell in the chair, and after some time spent in considering the same, the Speaker resumed the chair, and Mr. Merrell reported, that the committee of the whole had, according to order, taken the said bill into consideration, and had adopted sun-

dry amendments thereto, in which he asked the concurrence of the house.

Resolved, that the house concur therein.

Ordered, that the said bill be engrossed and read a third time on Monday next.

Mr. Ross, from the joint committee for enrolled bills, reported, that committee have examined and compared with the engrossed bill an enrolled bill, entitled an act divorcing Ephraim Dukes from his wife Martha Dukes, and that the same is truly enrolled.

Also, that the said committee did on this day present to his Excellency the Governor, for his approval and signature, a joint resolution of the General Assembly of the state of Indiana, authorizing the treasurer of state to employ some person to transact certain business for the state therein specified.

And the House adjourned till to morrow morning at nine o'clock.

Monday, December 18, 1820.

The House met pursuant to adjournment.

Mr. Ray from the committee to whom was referred so much of the Governor's message as relates to the Jeffersonville Ohio canal company; reported, that in discharge of their duty, the attention of the committee has been drawn to the importance of the subject committed to their charge as well as the various interests therewith connected.

The execution of a canal at the falls of the Ohio in this state must render it an important point of deposit, for imported as well as exported articles, and its commercial advantages will induce a concentration of capital, which will become identified with the wealth of the state, and which in due time will remove the inducements which exist at present, with our citizens, to expend their money, without the state for objects of merchandize.

The capital which this state has and may invest in the Jeffersonville canal stock, will with the completion of the object at once become valuable, and which must be productive of an annual and profitable fund, which may be applied to defraying the expenses of government or to such other objects of public interest as the General Assembly may from time to time direct.

The committee in the further discharge of their duty represent, that from a reference to the third proposition, which has become with the others, matters of compact between the United States and this state, it will be found that the three per cent fund, is to be applied to roads and canals, and (to use the language of the act of Congress itself) shall be applied to those objects under the direction of the legislature thereof. In the opinion of the committee, if the General Assembly shall patronize the enterprize, in a manner only corresponding to its importance, the interests of Ohio will induce that state, to unite with our exertions, as well as the commercial towns, on the shores of the river in both states, in removing the great obstruction to the navigation of our noblest commercial stream.

The committee believe the execution of the proposed canal, should be considered as an object of state character, and with views of liberal policy, the interest and character of the state will be advanced and supported by its ultimate completion, under the patronage of the General Assembly.

The committee therefore submit the following resolutions:

1st. *Resolved*, That the completion of the Jeffersonville Ohio canal is an object of deep interest and lasting importance to the citizens of this state.

2nd. *Resolved*, That it is expedient that one part of the three per cent fund, which has accrued, or may hereafter accrue to this state, be applied from time to time in completing the Jeffersonville Ohio canal, provi-

ded the government of the state of Ohio shall interest itself in its final execution.

3d. *Resolved*, That the committee be instructed to report a bill authorising the subscription for stock on behalf of this state.

Mr. Hay further reported that as chairman of the said committee he had addressed a request to the officers of the Jeffersonville Ohio canal company, to furnish the committee with information relative to the said institution, as to receipts, expenditures &c. That from the report of the secretary of that institution, it appears that 1219 lottery tickets have been sold for cash, and that 2536 dolls has been received at the treasury of the company for tickets sold, the balance still being in the hands of the agents of the company.

That 1497 lottery tickets have been sold on credit, generally secured by endorsed notes, which notes principally remain in the hands of the agents.

That the whole number of tickets returned as sold by the agents is 2716. That 5100 tickets have been drawn, among which were prizes to the amount of 14,370 principally in favor of the institution.

From the report of the treasurer it appears that,

The amount of stock subscribed by individuals is - - - - \$ 108,650

Stock subscribed by the state of Indiana - - - - 10,000

Cash paid by individuals including 2536 dolls. paid by the managers of the canal lottery, - - - 9,938 09

Cash paid by his Excellency, the Governor, on account of the state of Indiana - - - - 5,000

Cash paid out and expended on account of the canal, - - - 13,650 37 1-4

Cash on hand unexpended - 1,272 71 3-4

Which report of the committee aforesaid, together with the communications aforesaid were read and,

Ordered, To lie on the table.

Mr. Tipton submitted the petition of Philip Conrad and others, praying that a part of Dubois county be attached to the county of Martin,

Which was read and referred to a select committee composed of Messrs. Tipton, Chambers, Clark and Mc Donald to consider and report thereon.

Mr. Ferris from the committee to whom was referred the bill supplemental to an act, entitled an act locating certain public roads and highways therein named, reported that the committee had directed him to report the same bill, with sundry amendments.

The said bill was read and referred to a committee of the whole on to-morrow.

Mr. Ferris also, from the committee on the subject of the apportionment of representation, submitted a bill to apportion the senators and representatives of the state of Indiana, which bill was read and passed to its second reading on to morrow.

The house according to order now resolved itself into a committee of the whole, to consider the bill to amend the act, entitled an act supplemental to an act for the opening and repairing public roads and highways,

Mr. Zenor in the chair, and after some time spent in the consideration thereof,

The Speaker resumed the chair, and Mr. Zenor reported, that the committee of the whole according to order, had considered the said bill and had made sundry amendments thereto, in which he asked the concurrence of the house.

The question being put, will the house concur in so much of the amendment as exempts school masters from working upon roads, and the ayes and noes being demanded by Messrs. Sullivan and Clark,

Those who voted in the affirmative were Messrs. Battell, Chambers, Ferris, Gibson, Goudie, Holman, McDonald, Merrell, Milroy, Powell, and Graham, Speaker—11.

Those who voted in the negative were,

Messrs. Clark, Crawford, Grass, Green, Hay, Hanna, John, Robb, Ross, Sturgus, Sullivan of Knox, Sullivan of Jefferson, Swaine, Tipton and Zenor—15.

So the said amendment was not adopted.

Resolved, That the house concur in the residue of the amendments adopted by the committee of the whole to the said bill.

Mr. John moved to amend the said bill, by striking it out from the enacting clause, and by inserting in lieu thereof the following to-wit :

That the county commissioners of each county, shall annually, when they assess the state and county tax, add in a different column as a road tax, an amount, which shall not exceed that which may be assessed, for state and county purposes to be paid in labor or money at the option of the person taxed.

The second and seventh sections of an act, entitled an act, supplemental to an act for opening and repairing public roads and highways, approved December 31st. 1818 be and the same is hereby repealed : *Provided however*, That licensed and ordained ministers of the gospel shall not be bound to work upon roads so far as personal service may be required.

And upon the adoption of that amendment the ayes and noes being demanded by Messrs. John and Robb, Those who voted in the affirmative were,

Messrs. Crawford, Ferris, Gondie, Hanna, Holman, John, McDonald, Powell, Robb, and Sullivan of Jefferson—10.

Those who voted in the negative were,

Messrs. Battell, Clark, Chambers, Gibson, Grass, Green, Hay, Milroy, Merrell, Ross, Sturgus, Sullivan of Knox, Swaine, Tipton, Zenor, and Graham, Speaker—16.

On motion,

The house adjourned till two o'clock.

The House met pursuant to adjournment.

The house resumed the consideration of the bill to amend the act entitled an act, supplemental to an act for opening & repairing public roads & highways, and

Thereupon,

Ordered, That the same be engrossed and read a third time to-morrow.

A message from the Senate by *Mr. Beard,*

Announcing that the Senate have passed an engrossed bill, from this house, entitled an act to attach a part of the new-purchase, to Randolph county, with an amendment to the title thereof, in which they ask the concurrence of this house.

Resolved, That the house do concur therein.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate, entitled an act providing for the revision of the statute laws of this state was read a third time and,

Thereupon,

On motion by *Mr. Ferris,*

Ordered, That the further consideration of the said bill be indefinitely postponed.

According to order, the house now resolved itself into a committee of the whole, to consider the bill appointing commissioners to lay off a town on the site selected as a permanent seat of government,

Mr. Ross in the chair, and after some time spent in the consideration thereof,

The Speaker resumed the chair, and *Mr. Ross* reported that the committee of the whole, had according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, asked leave to sit again.

Leave to sit again was granted.

Ordered, That forty copies of said bill, with the amendments already made thereto, in the committee of the whole, be printed for the use of the house of representatives.

Mr. Milroy introduced a joint resolution on the subject of postage,

Which was read and passed to its second reading on to-morrow.

And the House adjourned till to-morrow morning at nine o'clock.

Tuesday, December 19th, 1820.

The House met pursuant to adjournment.

Mr. Sullivan of Jefferson pursuant to notice introduced a bill supplementary to an act to incorporate Madison academy, which bill the rule being dispensed with, was twice read and ordered to be engrossed and read a third time to-morrow.

Mr. Chambers from the committee on that subject submitted a bill for the relief of the sheriff of Orange county, which bill was read and passed to its second reading on to morrow.

A message from the Senate by Mr. Drew,

Announcing that the Senate have passed an engrossed bill entitled an act for the formation of a new county out of the counties of Wayne, Franklin and Fayette, and to enlarge the county of Wayne, in which they ask the concurrence of this house.

The said bill was read and passed to its second reading on to morrow.

On motion,

The house proceeded to consider the orders of the day and,

Thereupon,

The house resolved itself into a committee of the whole, to consider the bill for the assessing and collecting the revenue,

Mr. Sullivan of Knox in the chair, and after some time spent in the consideration of the said bill,

The Speaker resumed the chair, and Mr. Sullivan reported, that the committee of the whole had according

to order, had the said bill under consideration, and had made some progress therein, but not having time to go through desire leave to sit again.

Leave to sit again is granted.

And the house adjourned till two o'clock.

The House met pursuant to adjournment.

A message from the Senate by their assistant secretary, Mr. Dunbar,

Announcing that the Senate have passed an engrossed bill from this house, entitled an act to repeal an act, entitled an act to amend an act, entitled an act subjecting real and personal estate to execution, with an amendment, in which they ask the concurrence of this house.

Resolved, That the house concur in said amendment, and that the Senate be informed thereof.

A message from the Senate by Mr. Daniel,

Announcing that the Senate have adopted the following resolution to wit :

Resolved, That a committee be appointed on the part of the Senate to act with a similar committee which may be appointed on the part of the House of Representatives, to enquire into the expediency of attaching the counties formed at this session, to the present judicial circuits of this state, and the propriety of giving two terms in the year instead of three, and that the Senate have appointed Messrs. Daniel and Drew on their part.

On motion,

Resolved, That a similar committee be appointed on the part of this house,

Whereupon,

Messrs. Ross and Sullivan of Knox are appointed that committee.

Ordered, That the Senate be informed thereof.

The house again resolved itself into a committee of

the whole to consider the bill for assessing and collecting the revenue.

Mr. Sullivan in the chair, and after some time spent in the consideration of said bill,

The Speaker resumed the chair and Mr. Sullivan reported that the committee of the whole according to order, had again had the said bill under consideration and had amended the same by striking it out from its enacting clause, in which amendment he asked the concurrence of the house.

On the question of concurrence the ayes and noes being demanded by Messrs. Robb and Sullivan of Knox, Those who voted in the affirmative were.

Messrs. Battell, Chambers, Crawford, Ferris, Gibson, Grass, Hay, Hanna, Holman, John, Milroy, Powell, Sullivan of Jefferson—13.

Those who voted in the negative were,

Messrs. Clark, Goudie, Greene, McDonald, Merrell, Robb, Ross, Sturgus, Sullivan of Knox, Swaine, Tipton, Yandes and Graham, Speaker—13.

And so the house refused to concur in the amendment made to said bill by the committee of the whole.

On motion,

Resolved, That the said bill be recommitted to a committee of the whole house on this day.

According to order, the house now resolved itself into a committee of the whole to consider the bill for assessing and collecting a revenue, Mr. Hay in the chair, and after some time spent in considering the said bill, the Speaker resumed the chair, and Mr. Hay reported, that the committee of the whole, according to order, had considered the said bill, and had made sundry amendments, in which he asked the concurrence of the house.

Resolved, That the house concur in all of the said amendments, except so much of the amendment to the fourteenth section as exempts wearing apparel, household furniture not exceeding one hundred dollars in

value, in the hands of one individual, live stock (horses and work oxen excepted) and farming utensils and grain in the hands of the raiser thereof, which remains unsold.

On motion,

Resolved, That the house do concur in so much of said amendments as exempts wearing apparel, household furniture, not exceeding one hundred dollars in value, in the hands of one individual.

On the question, will the house concur in so much of said amendments as exempts live stock (horses and working oxen excepted) farming utensils and grain in the hands of the raiser thereof, which remains unsold?

The Ayes and Noes being demanded by messrs. Hanna Milroy & Robb, those who voted in the affirmative were,

Messrs. Chambers, Crawford, Ferris, Grass, Hanna, John, Milroy, Powell, Sullivan of Jefferson, and Tipton—10.

Those who voted in the negative were,

Messrs. Battell, Clark, Gibson, Goudie, Green, Hay, Holman, McDonald, Merrell, Robb, Ross, Sturgus, Sullivan of Knox, Yandes and Graham, Speaker—16.

And so the said last mentioned amendments were not concurred in by the house.

On motion by Mr Sullivan of Jefferson,

The said bill was further so amended as to exempt the working tools of a mechanic from taxation.

And the house adjourned till to-morrow morning at nine o'clock.

Wednesday, December 20th, 1820.

The house met pursuant to adjournment.

The Speaker submitted a communication from Cadwalader Churchhill, praying certain relief; which was read and ordered to lie on the table.

Mr. Robb submitted the petition of sundry citizens of Gibson county, praying an extension of the leases for the lessors of the seminary lands in said county ; which was read and referred to the standing committee on education, with instructions to enquire whether the legislature has any right to interfere with or dispose of said seminary lands.

Mr. Robb is added to that committee.

A message from the Senate by Mr. Daniel,
Announcing that the Senate have adopted the following resolution, to wit :

Resolved, That a committee be appointed on the part of the Senate, to act with a similar committee which may be appointed on the part of the House of Representatives, to enquire into the expediency of laying out two public roads in the eastern section of the state, two in the centre, and two in the western section of this state ; and to enquire into the expediency of opening the same by an appropriation of the three per cent fund, with leave to report to their respective houses.

And further, that on the part of the Senate Messrs. Daniel, Drew and Slaughter are appointed the committee contemplated by said resolution.

On motion by Mr. Ross,

Resolved, That a similar committee be appointed on the part of this house.

Whereupon,

Messrs. Ross, Powell and Robb are appointed that committee.

Ordered, That the Senate be informed thereof.

On motion,

The house proceeded to consider the orders of the day—and,

Thereupon,

The house resumed the consideration of the bill for assessing and collecting a revenue.

Mr. John moved to amend the said bill by adding to the 14th section the following proviso, to wit : Provi-

ded that every householder shall be privileged to hold free from taxation, two work horses, one yoke of oxen, four cows, thirty sheep and the wool, the growth thereof, every article of domestic manufacture, a sufficient number of hogs to furnish his family with pork, five thousand bushels of corn, one thousand bushels of wheat, five hundred bushels of rye, oats, barley or buck-wheat, three hundred pounds of flax, three ploughs, two harrows and the necessary gear for five horses, and poultry of every description; also, the produce or manufactures of the country in the hands of the exporter.

Which motion was negatived, and the Ayes and Noes having been demanded by Messrs. John and Robb, those who voted in the affirmative were,

Messrs. Battell, Crawford, Chambers, Ferris, Grass, Hanna, Holman, John, Milroy, Powell, Sullivan of Jefferson and Tipton—12.

Those who voted in the negative were,

Messrs. Clark, Gibson, Goudie, Green, Hay, McDonald, Merrell, Robb, Ross, Sturgus, Sullivan of Knox, Swaine, Yandes, Zenor and Graham, Speaker—15.

Mr. John then moved to amend the said bill by striking it out from the enacting clause; which motion was decided in the affirmative—the Ayes and Noes being demanded by Messrs. Milroy, John and Chambers, those who voted in the affirmative were,

Messrs. Battell, Crawford, Chambers, Ferris, Gibson, Grass, Hay, Holman, Hanna, John, Milroy, Powell, Sullivan of Jefferson, Yandes and Zenor—15.

Those who voted in the negative were,

Messrs. Clark, Goudie, Green, McDonald, Merrell, Robb, Ross, Sturgus, Sullivan of Knox, Swain, Tipton and Graham Speaker—12.

A message from the Senate by Mr. Gregory,

Announcing that the Senate have passed an engrossed bill, entitled an act for the formation of a new coun-

ty out of the counties of Wabash and Delaware, in which he asked the concurrence of this house.

The said bill was read, and ordered to be read a second time to-morrow.

A message from the Senate by Mr. Daniel,

Announcing that the Senate have passed an engrossed bill, entitled an act authorizing the organization of fire companies in this state, in which he asked the concurrence of the house.

The said bill was read, and ordered to be read a second time to-morrow.

The engrossed bill for the formation of a new county out of the counties of Jackson and Delaware, was read a third time and passed.

Ordered, That the same be entitled an act, and that the Senate be informed of the passage thereof.

The engrossed bill restricting the issuing of fee bills in certain cases and for other purposes, was read a third time and passed.

Ordered, That the same be entitled an act, and the concurrence of the Senate herein be requested.

The engrossed bill to incorporate the New-Albany school, was read a third time and passed.

Ordered, That the same be entitled an act, and that the Senate be informed of the passage thereof and their concurrence therein requested.

The engrossed bill, supplementary to an act, entitled an act incorporating Madison Academy, was read a third time and passed.

Ordered, That the same be entitled an act, and that the Senate be informed of the passage thereof, and their concurrence requested.

The engrossed bill to amend an act, supplemental to an act for opening and repairing public roads and highways, was read a third time, and on the question of its passage, the Ayes and Noes being demanded by messrs. Robb and John,

Those who voted in the affirmative were,
Messrs. Battell, Clark, Chambers, Crawford, Ferris, Gibson, Grass, Hay, Hanna, McDonald, Merrell, Milroy, Powell, Ross, Sturgus, Sullivan of Jefferson, Swaine, Tipton, Yandes, Zenor and Graham, Speaker—21.

Those who voted in the negative were,
Messrs. Goudie, Green, Holman, John, Robb and Sullivan of Knox—6.

And so the said bill passed.

Ordered, That the same be entitled an act, and that the Senate be informed of the passage thereof, and their concurrence therein requested.

The engrossed bill providing for the collection of fines in certain cases, was read a third time and passed.

Ordered, That the same be entitled an act, and that the Senate be informed of the passage thereof.

The bill organizing Green county out of the counties of Daviess and Sullivan, was read a second time, and was referred to a committee of the whole house and made the order of the day for to-morrow.

The house now, according to order, resolved itself into a committee of the whole, to consider the bill to establish the permanent seat of Justice for Wayne county, Mr. Clark in the chair, and after some time spent in considering the same, Mr. Speaker resumed the chair, and Mr. Clark reported, that the committee of the whole, according to order, had taken the said bill into consideration, and had made some progress in the same, but not having time to go through therewith, ask leave to sit again.

Leave to sit again is granted accordingly.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

The house, pursuant to leave, again resolved itself

into a committee of the whole, to resume the consideration of the bill to establish a permanent seat of justice for the county of Wayne, Mr. Clark in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Clark reported, that the committee of the whole, according to order, had considered the said bill, and had amended the same by adding an additional section, in which amendment he asked the concurrence of the house.

Resolved, That the house do concur therein.

The rule being dispensed with, the said bill was read a third time and passed.

Ordered, That the Senate be informed thereof, and their concurrence in the amendment made by this house be requested.

On the question of the passage of the last mentioned bill, the Ayes and Noes were demanded by Messrs. Sullivan of Knox, Tipton and Holman—and

Those who voted in the affirmative were,

Messrs. Battell, Clark, Chambers, Crawford, Goudie, Grass, Green, Hay, Hanna, Holman, John, McDonald, Milroy, Powell, Ross, Sullivan of Jefferson, Swaine, Tipton, Yandes, Zenor and Graham, Speaker—21.

Those who voted in the negative were,

Messrs. Merrell, Robb, Sturgus and Sullivan of Knox—4.

A message from the Senate by Mr. Drew,

Announcing that the senate have concurred in the report of the joint committee of free conference on the disagreement between the two houses, relative to the bill for the relief of sheriffs.

On motion by Mr. Powell,

Leave of absence is granted to Mr. Ferris, a member from Dearborn county, till next Monday week.

A message from the Senate by Mr. Harrison,

Announcing that the senate have passed an engrossed bill, entitled an act for the apportionment of senators

and representatives within this state, in which they ask the concurrence of this house.

The said bill was read and ordered to lie on the table.

The house according to order resolved into a committee of the whole to consider the bill to amend an act, entitled an act to license and regulate taverns, Mr. Milroy in the chair, and after some time spent in the consideration of the said bill, the Speaker resumed the chair, and Mr. Milroy reported, that the committee of whole, according to order, had taken the said bill into consideration, and had amended the same by adding an additional section, in which amendment he asked the concurrence of the house.

Resolved, that the house do concur therein.

Ordered, that the said bill be engrossed and read a third time on to-morrow.

Mr. Ross, from the committee of free conference to whom was referred the disagreement between the two houses, on the bill from the House of Representatives for the relief of sheriffs, reported that the said committee have had the subject matter referred to them under consideration, and have agreed that the sixth section of said bill shall be amended by adding the following words immediately after the word "same," in the said section, "where the purchase money has been paid and no title of any kind made by the sheriff who sold the same," and that the senate shall recede from its objections to the said section when so amended.

Resolved, That the house concur therein, and that the senate be informed thereof.

A message from the Senate by Mr Beard,

Announcing that the senate have concurred in the amendment made by the House of Representatives to the engrossed bill from the senate, entitled an act establishing a permanent seat of justice for the county of Wayne.

The bill prohibiting the introduction of bank notes

issued by banks or banking institutions without this state, that will not be received in payment for land and for other purposes, was read—and,

Thereupon,

On motion by Mr. Merrell,

Resolved, that the further consideration thereof be indefinitely postponed.

On the question of the indefinite postponement of said bill, the Ayes and Noes were demanded by messrs. Robb, John and Sullivan of Knox, and were as follows, to wit:

Those who voted in the affirmative were,

Messrs. Battell, Clark, Chambers, Crawford, Green, Goudie, Grass, Hay, Holman, McDonald, Merrell, Milroy, Powell, Stargus, Sullivan of Jefferson, Sullivan of Knox, Swaine, Tipton, Yandes, Zenor and Graham, Speaker—22.

Those who voted in the negative were,

messrs. Hanna, John, Robb and Ross—4.

Mr. Sullivan of Knox, moved that the said bill be spread on the journal; which motion was negatived.

Mr. Ross, from the committee for enrolled bills, reported that the committee had this day examined and compared a joint resolution of the General Assembly of the state of Indiana, on the subject of voting—An enrolled bill, entitled an act to repeal an act, entitled an act to amend an act, entitled an act subjecting real and personal estate to execution, approved January 18th, 1818—And an enrolled bill, entitled an act extending the boundaries of Randolph county, and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be informed thereof.

The house, according to order, resolved itself into a committee of the whole, to consider the report of the select committee to whom was referred the petition of Peter Smith, praying articles of impeachment against

Isaac Shelby, clerk of the Clark circuit court, Mr. Sullivan of Jefferson in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Sullivan reported that the committee of whole had, according to order, considered the said subject, and had adopted the following resolution, to wit:

Resolved, That the said petition of Peter Smith and the other documents on the subject be again referred to a select committee, with instructions to prepare articles of impeachment against the said Isaac Shelby, and submit the same to the house.

On the question, will the house concur in the report of the committee of the whole? It was determined in the negative.

On motion by Mr. Sullivan of Knox,

Ordered, That the said petition of Mr. Smith and the residue of the documents on the same subject lie on the table.

The house, according to order, resolved itself into a committee of the whole to consider the bill to facilitate prosecutions for perjury, Mr. Tipton in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Tipton reported, that the committee of the whole had, according to order, considered the said bill, and had instructed him to report the same without any amendment.

The said bill, by unanimous consent, was considered as engrossed, read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be informed thereof.

And the House adjourned till to morrow morning at nine o'clock.

Thursday, December 21st. 1820.

The house met pursuant to adjournment.

The Speaker laid before the house the petition of Samuel Short praying the vacation of the town of Spring-

bleburgh in Warrick county, which was read and referred to a committee composed of Messrs. Grass, Battell and Robb, to consider and report thereon.

Mr. Ross from the committee on that subject, submitted a bill authorising the building of a state prison, and for other purposes, which was read and,

Thereupon,

The rule being dispensed with, the said bill was read a second time and referred to a committee of the whole, and made the order of the day for to-morrow.

Mr. Sullivan of Knox presented the petition of sundry citizens of Martin county, praying that a part of Dubois county, may be attached to the said county of Martin, which petition was read and referred to the committee to whom was referred the petition from Dubois county, on the same subject.

Mr. Ross from the judiciary committee submitted a bill to establish the fifth judicial circuit in the state of Indiana, which bill was read.

Ordered, That the same be read a second time on to-morrow

Mr. Milroy from the committee of ways and means, submitted a joint resolution, authorising the treasurer of state to dispose of certain bank notes therein named, which was read and,

Ordered, To be read a second time to-morrow.

Mr. Ross from the committee on that subject submitted a bill to amend the act regulating the settlement of testate and intestate estates, and for the relief of widows, which was read and,

Ordered, To be read a second time to-morrow.

Mr. Sullivan of Knox, submitted the petition of sundry citizens of Martin county, praying an extension of the terms of the Martin circuit court, to six days, which was read and referred to the judiciary committee to consider and report thereon.

Mr. Chambers submitted the petition of sundry citizens of Orange county, praying the passage of a law on

the subject of changes of venue, which was read and referred to the judiciary committee to consider.

The Speaker submitted the petition of sundry citizens of Jackson county, praying to be attached to the county of Lawrence, which was read and,

On motion by Mr. Clark,

Ordered, To lie on the table.

Mr. Goudie submitted the petition of sundry citizens of Franklin county, on the subject of certain injuries, occasioned to James Baitlin and others by the location of a road therein described, which petition and some documents accompanying the same were read and referred to a select committee, composed of Messrs. Goudie, Powell and John to consider and report thereon.

Mr. Goudie also, submitted the petition of Jacob Whitzel, praying certain relief therein named, which together with a certificate of Joseph Wilson, Enoch M' Carty and others, was read and referred to a select committee composed of Messrs. Goudie, Crawford, Grass, Clark and Sturgus.

Mr. Robb, submitted the proceedings of a certain meeting of sundry citizens of Posey county, on the subject of school sections, which was read and referred to the standing committee on education.

On motion,

The House proceeded to consider the orders of the day and,

Thereupon,

The House according to order, resolved itself into a committee of the whole, to consider the bill appointing commissioners to lay off a town on the site selected as a permanent seat of government,

Mr. Powell in the chair, and after some time spent in the consideration of the said bill,

The Speaker resumed the chair, and Mr. Powell reported that the committee of the whole, had according to order, had the said bill under consideration, and had

made some progress therein, but not having time to go through therewith, ask leave to sit again.

Leave to sit again is granted.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

According to order the house again resolved itself into a committee of the whole to resume the consideration of the bill appointing commissioners to lay off a town on the site located as a permanent seat of government,

Mr. Powell again in the chair, and after some time spent in the consideration of the bill aforesaid,

The Speaker resumed the chair, and Mr. Powell reported that the committee of the whole, had according to order, taken the said bill into consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Leave to sit again is accordingly granted.

The house according to order, resolved itself into a committee of the whole, to consider the bill from the Senate entitled an act for the relief of James Thompson, Jesse W. Knighten, and David Downs,

Mr. John in the chair, and after some time spent therein,

The Speaker resumed the chair, and Mr. John reported that the committee of the whole, according to order, had considered the said bill and had directed him to report the same without amendment.

Ordered, That the same be read a third time on tomorrow.

A message from the Senate by Mr. Harrison,

Announcing that the Senate have adopted the following resolution to-wit :

Resolved, That the Senate now resolve itself into a court of impeachment, for the trial of Jacob Brookhart, a justice of the peace for Clark county, who stands im-

peached by the *House of Representatives*, for malfeasance in office, and that the *House of Representatives*, be informed thereof, and that the managers by them appointed, to prosecute said impeachment, be requested to attend the Senate chamber for the prosecution thereof.

The said resolution was read and,

On motion,

Resolved, That the managers have leave to withdraw for the purpose aforesaid.

A message from the Senate by Mr. Slaughter,

Announcing that the Senate have passed an engrossed bill entitled an act to provide for the printing and distributing the laws and journals of the present General Assembly.

The said bill was read and,

Ordered, To be read a second time on to-morrow.

The house according to order resolved itself into a committee of the whole, to consider the bill for the relief of persons owning property, in Corydon,

Mr. Robb in the chair, and after some time spent in the consideration of the said bill,

The Speaker resumed the chair, and Mr. Robb reported that the committee of the whole, according to order, had taken the said bill into consideration, and had made some amendments thereto, in which he asked the concurrence of the house.

Resolved, That the house concur therein.

Ordered, That the said bill be engrossed and read a third time to-morrow.

The house according to order, resolved itself into a committee of the whole to consider the bill for the formation of Greene county out of the counties of Sullivan and Daviess,

Mr. Ross in the chair, and after some time spent in the consideration of the said bill,

The Speaker resumed the chair, and Mr. Ross reported that the committee of the whole according to order,

had taken the said bill into consideration, and had made some progress in the same, but not having time to go through therewith ask leave to sit again.

Leave to sit again is granted accordingly.

On motion,

The further consideration of the orders of the day are postponed for the present.

Mr. Sullivan of Jefferson submitted the following resolution viz :

WHEREAS, it has been represented to this house, that Jacob Brookhart, a justice of the peace in and for the county of Clark, against whom articles of impeachment have been preferred, by this house, has resigned his said commission, therefore,

Be it resolved, That the managers appointed by this house, to conduct said impeachment, be and they are hereby directed to announce to the Senate, that the House of Representatives, will no longer prosecute the same, which resolution was read and adopted by the house.

Mr. Powell is added to the committee of ways and means in the place of Mr. Ferris, (absent.)

And the house adjourned till to-morrow morning at nine o'clock.

Friday, December 22d, 1820.

The house met pursuant to adjournment.

Mr. Green submitted the petition of sundry citizens, of Crawford county, praying a re-location of the county seat of said county, which was read and referred to a select committee composed of Messrs Green, Tipton, and Merrell to consider and report thereon.

Mr. Robb submitted the petition of sundry citizens of Gibson county, praying to be attached to Posey county, which was read and referred to a select committee, composed of Messrs. Robb, Battell and Sullivan of Knox.

Mr. Gibson from the committee to whom was referred the bill to amend an act entitled an act, locating certain permanent roads therein named, reported that the said committee had directed him to report the same with some amendments, which was read,

On motion by Mr. Ross,

Ordered, That the said last mentioned bill and all other bills at present before the house, on the subject of public roads and highways, be referred to a committee of the whole on to-morrow.

On motion by Mr. Hay,

The report and resolutions submitted by him heretofore on the subject of the Jeffersonville Ohio canal company, is referred to the committee to whom was referred the bill authorising the establishment of a state prison and for other purposes.

Mr. Tipton submitted the petition of sundry citizens of Harrison county on the subject of the vacation of the town of Lanesville, which was read and referred to a committee composed of Messrs Tipton, Zenor and M^r Donald to consider and report thereon.

On motion by Mr. Hay,

1st. *Resolved*, That the committee appointed to contract for stationary be instructed to provide the necessary means for the safe keeping of all original papers, connected with the deliberations of this house, to-wit: petitions, remonstrances, and reports, whether by bills resolutions or otherwise.

2d. *Resolved*. That the clerk of this house, shall furnish copies of the same when required, for which he shall receive such compensation as said committee shall deem reasonable.

A message from the Senate by Mr. Drew,

Announcing that the Senate passed an engrossed bill entitled an act supplementary to an act subjecting real and personal estate to execution, approved, January 7, 1818.

The said bill was read and passed to its second reading on to morrow.

Mr. Tipton submitted a bill attaching part of Clark county to the county of Harrison, which was read and ordered to be read a second time on to morrow.

Mr. Chambers gave notice that he will on to-morrow or some subsequent day of the present session ask leave to introduce a bill, to authorise the associate judges of Monroe county to hold a special session to try a criminal cause.

The house proceeded to consider the orders of the day and,

Thereupon,

The consideration of the bill to form the county of Green out of the counties of Daviess and Sullivan was resumed.

On motion,

Resolved, That the house concur in the amendments made on yesterday by the committee of the whole house to the said bill.

Resolved, That the committee of the whole be discharged from the further consideration of said bill

Mr. Sullivan of Knox, moved to amend the said bill by striking out so much thereof as describes the boundary lines of Green county and inserting the following to-wit :

Beginning at the north east corner of town 8, or the range line, dividing 2 and 3 west, thence south with said line to the township line, dividing 5 and 6, thence west with said township line, to the range line, dividing 6 and 7 ; thence north with said line, dividing 6 and 7. to the township line, dividing 8 and 9 ; thence east to the place of begining.

And upon the question being put, shall the said amendment be adopted it was determined in the negative and the ayes and noes being demanded by Messrs. Sullivan of Knox and Zenor,

Those who voted in the affirmative were,

Messrs. Goudie, Sturgus, Sullivan of Knox—3.

And,

Messrs. Battell, Clark, Chambers, Crawford, Gibson, Grass, Green, Hay, Hanna, Holman, McDonald, Merrell, Milroy, Powell, Robb, Ross, Sullivan of Jefferson, Swaine, Tipton, Yandes, Zenor and Graham, Speaker—23, voted in the negative.

By unanimous consent the said bill was then read a third time and passed.

Ordered, That the same be entitled an act, and that the Senate be informed thereof, and their concurrence therein requested,

On motion by Mr. Tipton,

Mr. Zenor is added to the committee, to whom was referred the petition on the subject of the relocation of the seat of justice for the county of Crawford.

Mr. Ross from the committee for enrolled bills reported that the committee, had on this day presented to his Excellency, the Governor for his approval and signature, the enrolled bills entitled as follows, to-wit:

An act to repeal an act, entitled an act to amend an act, entitled an act, subjecting real and personal property to execution, approved January 18th, 1848.

An act to extend the boundaries of Randolph county.

Also, a joint resolution of the General Assembly of the state of Indiana on the subject of voting.

On motion,

The house according to leave again resolved itself into a committee of the whole to consider the bill appointing commissioners, to lay off a town on the site selected as a permanent seat of government. Mr. Powell again in the chair, and after some time spent in the consideration of the said bill,

The Speaker resumed the chair, and Mr. Powell, reported, that the committee of the whole, had according to order, had the said bill under consideration, and had made sundry amendments thereto, in which he asked the concurrence of the house.

Resolved, That the house concur in all the amendments except the one adopted to the fourth section, in the committee, on motion by Mr. Robb, and which is as follows, to wit :

Saving however to the purchaser or his legal representative the right of redeeming the same, by paying the amount of the instalment or instalments due on said lots and legal interest thereon, at any time previous to a subsequent sale of such lot ; and no lot upon which one instalment shall have been paid shall revert to the state until after the last instalment shall become due.

And the question on concurring in that amendment being put, it was determined in the affirmative, and the Ayes and Noes being demanded by Messrs. Sullivan of Knox and Milroy,

Those who voted in the affirmative were,

Messrs. Battell, Clark, Chambers, Crawford, Gibson, Goudie, Grass, Green, Hanna, Holman, John, Merrell, Powell, Robb, Sullivan of Jefferson, Swaine and Yandes—17.

Those who voted in the negative were,

Messrs. Hay, McDonald, Ross, Sturgus, Sullivan of Knox, Tipton, Zenor and Graham, Speaker—8.

On motion by Mr. Ross,

The bill aforesaid was further amended by inserting between the word "lots" and the word "and" the following, to wit : from the day of sale until the time of such redemption.

Mr. Merrell moved to amend the said bill by striking out the sixth section and inserting in lieu thereof the following: the said town shall be called and known by such name as the commissioners shall select.

A division of the question being called for, the question was put, shall the said sixth section be stricken out? And was decided in the negative.

Ordered, That the said bill be engrossed and read a third time on to-morrow.

And the house adjourned till one o'clock.

The House met pursuant to adjournment.

The engrossed bill to amend an act, entitled an act to license and regulate taverns, was read a third time and passed.

Ordered, that the same be entitled an act, and that the senate be informed thereof, and their concurrence therein requested.

The house, according to order, resolved itself into a committee of the whole to consider the bill for assessing and collecting a revenue, Mr. Hay in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr Hay reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Accordingly leave to sit again is granted.

Mr. Milroy then moved to amend the said bill by inserting immediately after the title thereof the following, to wit :

Sec. 1. That there shall be assessed annually for state purposes, on every hundred acres of first rate land, one dollar and fifty cents ; on every hundred acres of second rate land, one dollar and twenty-five cents ; and on every hundred acres of third rate land, one dollar ; and so much of the revenue laws of this state as authorizes any tax to be collected on land for county purposes is hereby repealed.

Sec. 2. There shall be collected annually, for county purposes, in each county, a poll tax not exceeding fifty cents per head on each male person twenty one years old and upwards, paupers excepted ; and the lister of each county is hereby required to list for taxation every person subject to taxation as above.

Which motion was decided in the affirmative, and so the amendment was adopted.

On motion,

The said bill as amended, is referred to a committee of the whole house, and made the order of the day for this day.

According to order, the house resolved itself into a committee of the whole, to consider the bill for assessing and collecting a revenue, Mr. Hay in the chair, and after some time spent in considering the same, the Speaker resumed the chair, and Mr. Hay reported that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same by adding an additional section, and which is as follows, to wit:

All taxes on town lots and other property subject to taxation for county purposes, by the act to which this is an amendment, shall be taxable as heretofore; in which amendment he asked the concurrence of the house.

Resolved, That the house do concur therein.

Mr. Hay moved to amend the first section of the said bill by striking out the latter sentence thereof, which is as follows, to wit:

And so much of the revenue laws of this state as authorizes any tax to be collected on land for county purposes is hereby repealed.

And the question being put, shall the bill be so amended? And the Ayes and Noes being demanded by messrs. Robb and Hay,

Those who voted in the affirmative were,

Messrs. Battell, Clark, Gibson, Goudie, Grass, Greene, Hay, John, Ross, Tipton, and Graham, Speaker—11.

Those who voted in the negative were,

Messrs. Crawford, Hanna, Holman, McDonald, Merrell, Milroy, Powell, Robb, Sullivan of Jefferson, Sullivan of Knox, Swaine, Yandes and Zenor—13.

And so the amendment was not adopted.

Mr. Merrell moved to amend the second section of the said bill by adding thereto the following, to wit:

And also in counties where the same may be neces-

sary, a tax may be laid on the following articles, to wit : tan-yards, distilleries, mills, the professors of law and medicine, of one fourth per cent on the annual income thereof, where the amount does not exceed four hundred dollars, and one half per cent on the amount over and above that sum, to be estimated by the lister, when the person to be taxed refuses to make oath to the amount.

Mr. Battell moved to amend that amendment by adding the following: "On the annual income of every person except those above specified, one fourth per cent when it is under four hundred dollars, and one half per cent when it is above that sum."

Which motion was decided in the negative.

The question was then put, Will the house adopt the amendment proposed by Mr. Merrell? And was determined in the negative; and the Ayes and Noes being demanded by messrs. Merrell and Tipton,

Those who voted in the affirmative were,
messrs. Gibson, Goudie, Green, Merrell, Robb, Swaine, Tipton and Zenor—8.

Those who voted in the negative were,
messrs. Battell Clark, Crawford, Grass, Hay, Hanna, Holman, John, McDonald, Milroy, Powell, Ross, Sullivan of Jefferson, Sullivan of Knox, Yandes and Graham, Speaker—16.

Mr. Robb moved to strike out so much of said bill as authorizes the assessing and collecting a poll tax.

And the question on that motion being put, and the Ayes and Noes demanded by messrs. Robb, and Sullivan of Knox,

Those who voted in the affirmative were,
messrs. Battell, Clark, Gibson, Goudie, Grass, Hay, Hanna, Merrell, Robb, Ross, Sullivan of Knox, Yandes, Zenor and Graham, Speaker—14.

Those who voted in the negative were,
messrs. Crawford, Green, Holman, John, McDonald, Milroy, Powell, Sullivan of Jefferson, Swaine and Tipton—10.

And so the said part of the bill was stricken out.

On motion by Mr. Hay,

The said bill was amended by adding as an additional section, the following, to wit :

That the auditor of public accounts be authorized to employ such attorney or attorneys as he may think proper, to collect all debts which are or may become due to the state, any law to the contrary notwithstanding ; and the same costs shall be taxed for the benefit of said attorney or attorneys as are now allowed to prosecuting attorneys for similar services.

Mr. Robb then moved so to amend the first section of said bill as that money, or its representative, in possession or loaned upon interest, shall be subject to a tax of one half per cent, to be paid by the individual, company, bank or corporation having such money or its representative in possession or loaned out.

And the question being put, Will the house adopt the said amendment? The Ayes and Noes were demanded by messrs. Robb and Yandes, and

Those who voted in the affirmative were,

Messrs. Gibson, Green, McDonald, Robb Ross, Sullivan of Knox, Swaine, Tipton, Yandes and Zenor—10.

Those who voted in the negative were,

messrs. Battell, Clark, Crawford, Goudie, Grass, Hanna, Hay, Holman, John, Merrell, Powell, Sullivan of Jefferson, and Graham, Speaker—13.

On motion,

Ordered, That the said bill be engrossed and read a third time on to-morrow.

Mr. Ross, from the committee for enrolled bills, reported that the committee had examined and compared an enrolled bill, entitled an act establishing a permanent seat of justice for the county of Wayne, and that the same is truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the Senate be informed thereof.

And the House adjourned till to-morrow morning at nine o'clock.

Saturday, December 23d, 1820.

The House met pursuant to adjournment.

Mr. Ross, from the committee for enrolled bills, reported, that the said committee had examined and compared an enrolled bill, entitled an act for the relief of sheriffs, and that the same is truly enrolled.

Mr. Crawford submitted the petition of sundry inhabitants of the tract located as a permanent seat of government for this state, praying certain relief, which was read and referred to a committee composed of Messrs. Crawford, Ross and Clark to consider and report thereon.

Mr. Merrell gave notice, that on Monday next, he will ask leave to introduce a bill to prevent injury by dogs.

A message from the Senate by Mr. Gregory,

Announcing that the senate have passed an engrossed bill, entitled an act to attach a part of the new purchase to Monroe county and for other purposes.

The said bill was read, and ordered to be read a second time on Monday next.

A message from the Senate by Mr. Slaughter,

Announcing that the senate have passed an engrossed bill, entitled an act to repeal part of an act regulating the inspection of flour, beef and pork.

The said bill was read, and ordered to be read a second time on Monday next.

A message from the Senate by Mr. Bartholomew,

Announcing that the senate have passed an engrossed bill, entitled an act incorporating New-Albany school, which originated in this house.

A message from the Senate by Mr. Slaughter,

Announcing that the senate have passed an engrossed bill, entitled an act to provide for arrest in certain cases.

The said bill was read, and ordered to be read a second time on *Monday* next.

On motion,

The house proceeded to consider the orders of the day—and,

Thereupon,

The house according to order, resolved itself into a committee of the whole, to consider the bill to amend an act, entitled an act to exempt certain property from being subject to execution. Mr. Clark in the chair, and after some time spent in the consideration of the said bill, the Speaker resumed the chair, and Mr. Clark reported, the committee of the whole house had, according to order, had the said bill under consideration, and had amended the same in some respects, and had directed him to ask the concurrence of the house therein.

Resolved, That the house do concur in the first amendment, (which was the striking out so much of the said bill as exempted the books of a man's profession.)

On motion,

Resolved, That the house do concur in the second amendment which was the adding of a proviso thereto, providing that the value of tools exempt by the said act, and the property exempt by the act to which the same is an amendment, and retained by one individual, should not exceed one hundred dollars in value

Mr. Ross moved to amend the said bill by striking it out from its enacting clause, and the question being put, shall the bill be amended by striking it out from the enacting clause? And the Ayes and Nocs being demanded by Messrs. Ross and Hay,

Those who voted in the affirmative were,

Messrs. Clark, Gondie, Green, Hay, Holman, Milroy, Powell, Ross and Tipton—9.

Those who voted in the negative were,

Messrs. Battell, Crawford, Gibson, Grass, Hanna, John, McDonald, Merrell, Robb, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Swaine, Yandes and Graham, Speaker—15.

And so the amendment was rejected.

The house, according to order, resolved itself into a committee of the whole to consider the bill to amend the act, entitled an act for the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools or meeting houses, Mr. Milroy in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Milroy reported, that the committee of the whole, according to order, had taken the said bill under consideration, and had made one amendment thereto, in which amendment he asked the concurrence of the house.

Resolved, That the house concur therein.

By unanimous consent, the said bill was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be informed thereof, and their concurrence therein requested.

Mr. Ross, from the committee for enrolled bills, reported that the said committee had examined and compared an enrolled bill, entitled an act for the benefit of John Depauw; and an enrolled bill, entitled an act arranging the boundary line between the counties of Washington and Scott, and that the same are truly enrolled.

Whereupon, the Speaker signed the same.

Ordered, That the Senate be informed thereof.

The house, according to order, resolved itself into a committee of the whole, to consider the joint resolution of the General Assembly of the state of Indiana, to promote education, Mr. Sullivan of Jefferson in the chair, and after some time spent in the consideration of the said resolution, the Speaker resumed the chair, and Mr. Sullivan reported, that the committee of the whole had, according order, had the said resolution under

consideration, and had made sundry amendments thereto, in which they had directed him to ask the concurrence of the house.

The said amendments were read.

Resolved, That the house concur therein.

Ordered, That the resolution, as amended, be engrossed and read a third time on Monday next.

The bill for assessing a revenue having been engrossed, was read a third time, and on the question of its passage, the Ayes and Noes were demanded by messrs. Sullivan of Knox and Sullivan of Jefferson,

Those who voted in the affirmative were,
messrs. Battell, Crawford, Gibson, Grass, Hay, Hanna, Holman, John, Merrell, Milroy, Powell, Robb, Sullivan of Jefferson and Swaine—14.

Those who voted in the negative were,
messrs. Clark, Goudie, Green, McDonald, Ross, Sturgus, Sullivan of Knox, Tipton, Yandes and Graham, Speaker—10.

And so the said bill passed.

Ordered, That the same be entitled an act amendatory to the several acts regulating the assessment and collection of revenue in this state; and that the senate be informed of the passage thereof, and their concurrence therein requested.

The engrossed bill for the relief of persons owning property in Corydon, was read a third time and passed.

Ordered, That the same be entitled an act, and the Senate be informed of the passage thereof, and their concurrence therein requested.

The house according to order resolved itself into a committee of the whole, to consider the bill, to repeal the charter of all banks, and to remove all branch banks that refuse to redeem their notes with specie, after the time therein specified,

Mr. Grass in the chair, and after some time spent in the consideration thereof,

The Speaker resumed the chair, and Mr. Grass re-

ported that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Leave to sit again is not granted ; and,

Mr. Ross moved to refer the said bill to the judiciary committee, with instructions so to amend the same, that the circuit courts, (and the supreme courts where the circuit judges are interested) be authorised to declare the charters of the banks forfeited when they refuse to comply with the provisions of their charters.

Mr. Sullivan of Jef. moved to amend the said motion by referring the said bill to the committee on banks, instead of the judiciary committee.

Which motion was negatived.

The question on the motion, to refer the same to the judiciary committee as made by Mr. Ross was then put and determined in the affirmative.

A message from the Senate by their assistant secretary Mr. Dunbar,

Announcing that the Senate have passed an engrossed bill, entitled an act supplementary to an act entitled an act to incorporate Madison Academy, approved Jan. 11, 1820, which originated in this house.

And the house adjourned till two o'clock.

The House met pursuant to adjournment.

The bill to apportion the Senators and Representatives of the state of Indiana, was read a second time and referred to a committee of the whole on Monday next.

By consent the further consideration of the orders of the day is postponed for the present.

Mr. Tipton from the committee to whom was referred the petition of sundry citizens of Lanesville, reported that the said committee had directed him to prepare and submit a bill to repeal an act vacating part of the town

of Lanesville : approved January 18, 1820. which bill was read and ordered to be read a second time on Monday next.

Mr. Tipton submitted a bill attaching part of Dubois county to Martin county ; also,

A bill to regulate banks, and coerce specie payment, which bills were severally read,

On motion,

Ordered, That the said first mentioned bill be read a second time on Monday next.

Mr. Clark moved that the further consideration of the said last mentioned bill be indefinitely postponed, and the question upon that motion being put, the ayes and noes were demanded by Messrs. Tipton and Sullivan of Knox, and McDonald, and,

Messrs. Clark, Crawford, Gibson, Goudie, Grass, Hanna, Holman, McDonald, Milroy, Powell, Sturgis, Sullivan of Knox, Sullivan of Jefferson, Swaine, and Graham, Speaker—15 ; voted in the affirmative.

Messrs. Battell, Hay, Robb, Ross, Tipton, and Yandes—6, voted in the negative.

The house resumed the consideration of the orders of the day,

Whereupon,

The house according to order resolved itself into a committee of the whole to consider the bill, prescribing what paper shall be deemed current, and for other purposes, Mr. Ross in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Ross reported that the committee of the whole had according to order, had the said bill under consideration and had amended the same by striking it out from its enacting clause, in which amendment they had directed him to ask the concurrence of the house.

Resolved, That the house do concur therein.

Mr. Sullivan of Knox moved to amend the said bill

by inserting immediately after the enacting clause, in lieu of the several sections which were stricken out by the committee of the whole, the following sections to-wit :

“ Be it enacted by the General Assembly of the state of Indiana, That from and after the taking effect of this act no bank note, bill, bill of exchange, promissory note or other paper payable to a fictitious person or bearer, issued by any bank or banking institution, shall be deemed taken and considered current in this state, except the notes of such chartered banks as redeem their notes and bills when presented for payment in silver or gold.

And the question being put, shall the bill be so amended, it was determined in the negative and the ayes and noes being demanded by Messrs. Sullivan of Knox and Robb, those who voted in the affirmative were,

Messrs. Clark, Goudie, Hanna, McDonald, Milroy, Powell, Robb, Ross, Sturgus and Sullivan of Knox—10.

Those who voted in the negative were, messrs. Battell, Crawford, Gibson, Grass, Hay, Holman, John, Swaine, Tipton, and Graham, Speaker—10.

And so the amendment was rejected.

Ordered, that the said bill lie on the table.

The House adjourned till Monday next at nine o'clock A. M.

Monday, December 25th, 1820.

The house met pursuant to adjournment.

Mr. Grass from the committee to whom was referred the petition of the inhabitants of Sprinkleburgh, reported that the committee had directed him to prepare and submit a bill to vacate the town of Sprinkleburgh; which said bill he handed in at the clerk's table where

it was read and ordered to be read a second time on tomorrow.

Mr. Ross from the committee for enrolled bills reported that the said committee did on Saturday the 23rd instant present to his Excellency, the Governor for his approval and signature an enrolled bill entitled,

An act for the relief of Sheriffs.

Mr. Batten from the committee to whom was referred the petition of sundry citizens of Posey county, praying to be attached to Gibson county, reported that in the opinion of the said committee the prayer of the said petitioners is unreasonable and ought not to be granted.

On motion,

To concur in the said report, it was determined in the affirmative, and the ayes and noes being demanded by messrs. Robb, and Sullivan of Knox.

Messrs. Tipton and Robb voted in the negative and the other members present in the affirmative.

Mr. Tipton submitted the petition of James K. Scott, praying certain relief, which having been read was referred to a select committee composed of messrs. Tipton Sullivan of Jefferson and Clarke, to consider and report thereon.

Mr. Powell from the military committee to whom was referred the communication from the adjutant general, praying an enquiry into certain affairs relative to his office, reported that the committee have had the said subject under consideration, and are of opinion that it is inexpedient for this house to institute such an enquiry, as in their opinion a military tribunal is the proper court to enquire into the conduct of all military officers.

Mr. Goudie from the committee to whom was referred the petition of Jacob Whitzel, reported that in the opinion of the committee, the prayer of the petitioners is unreasonable and ought not to be granted, which report having been read.

On motion,

Resolved, That the house concur therein.

Mr. Clark gave notice that on to-morrow, or some subsequent day of the present session he will ask leave to introduce a bill to encourage domestic manufactures.

Mr. Tipton submitted the petition of Peter Rothrook, and others praying a relocation of the county seat of Crawford county, which was read and referred to the select committee to whom was referred the similar petition on the same subject.

Mr. Sullivan of Jefferson submitted the petition of John Burns praying certain relief, which was read and referred to a select committee, composed of Messrs. Sullivan of Jefferson, Crawford and Goudie to consider and report thereon.

On motion,

The house proceeded to consider the orders of the day.

The bill to appoint commissioners to lay off a town on the site selected as a permanent seat of government, having been engrossed was read a third time and on the question of its passage the ayes and noes being demanded by messrs. Sullivan of Knox and Merrell and, Messrs. Battell, Clark, Chambers, Crawford, Goudie, Grass, Hay, Hanna, John, Merrell, Milroy, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson, Swaine, Tipton and Graham Speaker—20; voted in the affirmative and,

Messrs. McDonald, Sullivan of Knox and Yandes, voted in the negative

The bill to amend an act entitled an act to exempt certain property from being subject to execution, having been engrossed was read a third time and on the question of its passage the ayes and noes were demanded by messrs Ross and Hay and,

Messrs. Battell, Clark, Crawford, Goudie, Grass, Hanna, John, McDonald Merrell, Robb, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Swaine, Yandes and Graham Speaker—16, voted in the affirmative.

Messrs. Chambers, Green, Hay, Holman, Milroy,

Powell, Ross and Tipton—8, voted in the negative.

And so the said bill was passed.

Ordered, That the said bill be entitled an act, and that the Senate be informed thereof and their concurrence therein requested.

The joint resolution of the General Assembly of the state of Indiana to promote education; was read a third time and,

On motion by Mr. Ross,

The said resolution is referred to a committee of the whole for this day.

On motion,

The house according to order resolved itself into a committee of the whole, to consider the last mentioned resolution, Mr. Powell in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Powell reported that the committee of the whole, had according to order had the said bill under consideration and had made one amendment thereto, in which he asked the concurrence of the house.

The said amendment was read and concurred in by the house.

By unanimous consent the said joint resolution, was read a third time and passed.

Ordered, That the Senate be informed thereof.

The engrossed bill from the Senate entitled an act, to form a new county out of the counties of Wayne, Franklin and Fayette and to extend the boundaries of Wayne county, was read a second time and referred to a committee of the whole on to morrow.

The house according to order resolved itself into a committee of the whole, to consider the engrossed bill, from the Senate entitled an act supplementary to an act entitled an act, supplementary to an act, entitled an act fixing the seats of justice in all new counties hereafter to be laid off, Mr. Ross in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Ross reported that the committee

the whole had according to order, had the said bill under consideration and had made sundry amendments thereto, in which he asked the concurrence of the house.

A message from the Senate by Mr. Harrison,

Announcing that the Senate have passed an engrossed bill, which originated in this house, entitled an act amendatory to the several acts regulating the assessing and collecting of revenue in this state, with several amendments in which he asked the concurrence of this house.

The Speaker laid before the house a communication from John Vawter trustee of the public seminary for the county of Jennings, from which it appears that the state of funds in his hands in 1818 for the use of county seminaries was

\$43 12 1-2

Increased by his second report 1819 to 50 62 1-2

Increased by receipts since that time to 65 37 1-2

So that there is in his hands, at this time (4th Dec. 1820) the sum of sixty five dollars and thirty-seven and one half cents.

On motion,

The House adjourned till to-morrow morning at nine o'clock.

Tuesday, December 26th, 1820.

The house met pursuant to adjournment.

The house resumed the consideration of the bill (from the senate) entitled an act, supplemental to an act, entitled an act supplementary to an act fixing the seats of justice in all new counties hereafter to be laid off—and,

Thereupon,

The amendments reported to the said bill, by the chairman of the committee of the whole on Saturday, were read and concurred in by the house.

By consent, the said bill was read a third time now, and the question being put, shall this bill pass? It was determined in the affirmative.

Ordered, That the same be entitled an act, and that the senate be informed of the passage thereof, and their concurrence therein requested.

The house proceeded to consider the amendments made by the senate, to the bill from this house, entitled an act amendatory to the several acts now in force in this state regulating the assessment and collecting the revenue.

Whereupon,

The first amendment made thereto by the senate, and which contemplates the assessment of a poll tax for county purposes, was read and concurred in by the house.

The second amendment, which contemplates the assessment of a tax of not exceeding twenty-five cents per head on all work oxen, three years old and upwards, was also read and concurred in by the house.

The third amendment, which contemplates the assessment of a tax of twelve and one half cents per head on all other horned cattle (excepting two cows for every family or householder to be free from tax) having been read, the question was put, Will the house concur in said last amendment? And was determined in the negative—Ayes 8—Noes 17.

The Ayes and Noes having been demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Crawford, Gibson, Goudie, McDonald, Merrell, Yandes and Graham, Speaker.

Those who voted in the negative were,

Messrs. Chambers, Grass, Green, Hay, Holman, John, Milroy, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Swaine, Tipton and Zenor.

The fourth amendment to said bill, which contemplated the printing of fifty copies of the same to be filed in the offices of the several clerks of the circuit courts throughout the state, was read, and on the question o

concurrence therein? It was determined in the negative.

The other amendments to the said bill were read and concurred in by unanimous consent.

Ordered, That the senate be informed accordingly.

A message from the Senate by Mr. Polke,

Announcing that the senate have passed the engrossed bill, which originated in the house of Representatives, entitled an act for the formation of a new county out of the counties of Daviess and Sullivan, with some amendments, in which the concurrence of this house is requested.

Which amendments having been read, were concurred in unanimously by the house.

A message from the senate by Mr. Dunbar, their assistant secretary,

Announcing that the senate have passed, without amendment, an engrossed bill, which originated in this house, entitled an act to facilitate prosecutions for perjury.

Mr. Sullivan of Jefferson submitted the petition of Marshal Smith, praying certain relief therein named.

Which having been read, was referred to a select committee composed of Messrs Sullivan of Jefferson, Robb and Gibson to consider and report thereon.

Mr. Tipton submitted the memorial of Edward Pennington, remonstrating against the petition heretofore presented, praying the repeal of an act vacating part of the town of Lanesville; which memorial having been read, is ordered to lie on the table.

Mr. Ross, from the committee to whom was referred the petition of sundry inhabitants of the tract located as a permanent seat of government of this state, reported that the said committee are of opinion that it is inexpedient at this time to grant the relief prayed for, in as much as some of the improvements of the petitioners may include the whole or a part of the site which may be located for the town by the commissioners, who

should have no impediments in their way when they proceed to the discharge of their duty.

And further, that in the opinion of the said committee, there is no necessity to grant any relief to such as have settled on and improved any part of the said tract, other than that which may be located for the town by the commissioners, as the owners thereof will continue to enjoy the same until they are removed by law.

The said report having been read, it was

Resolved, That the house do concur therein.

On motion by Mr. Tipton,

Resolved, That a committee be appointed to enquire into the expediency of memorializing Congress in relation to the extension of the national road from Wheeling to St. Charles in Missouri, for the purpose of securing the location of said road through the permanent seat of government of this state, with leave to report by memorial or otherwise.

Messrs. Tipton, Ross and Sullivan of Knox are appointed the committee contemplated by the said resolution.

Mr. Goudie, from the committee to whom was referred the petition, praying an alteration of a certain road in Franklin county, reported that the said committee had directed him to prepare and submit a bill to alter a certain road therein named.

Which bill he handed in at the clerk's table—the rule being dispensed with, the said bill was twice read and referred to the committee of the whole to whom was referred other bills on the subject of roads.

Report of the Committee on Education.

Mr. Hay, from the committee on Education, to whom was referred the report of the trustees of the state seminary, the petition of James Pearson and others, of Orange county, and the resolutions of Peter Jones and others, of Posey county, reported:

That the said committee have had the subject referred to them under consideration, and, aware of their importance, with hesitancy venture to give their opinion. That Education is the first and greatest pillar in a republican government is not denied, and in a rapidly growing state, where character and habits are yet to be formed, the promotion of the education of youth should receive the early and united attention of government. But the representatives of the people having the control and direction of the means by which our schools and universities are to be founded & endowed, should act with caution and deliberation, for one false step, one imprudent act may produce an injury which never can be repaired. The means afforded, with proper management, cannot fail to make the university of this state as rich in funds as any in the union, and funds will always command the ablest professors and tutors.

The trustees of the state seminary have promptly attended to the duty assigned them, but whether they should progress further in their labors for the present is, in the opinion of the committee, somewhat doubtful. The act of incorporation (with due deference to the framers of it) is also, in the opinion of the committee, materially defective, and far from being such an one as should govern so important an institution.

The committee therefore submit the following resolution, to wit:

Resolved, That it is inexpedient at this session of the General Assembly to incorporate any schools of learning or point out by law any system of education; and that it is expedient to wait the reception of the report of the committee who are requested by a joint resolution of this General Assembly to draw up and report a general system of education at the next meeting of the General Assembly.

Which report was read and concurred in by the house.

Mr. Hay, from the committee on education, further

reported, that the said committee have had the petition of Samuel King (which was referred to them) under consideration ; that having no evidence upon that subject before them, they are unable to say whether relief should be granted.

The lessees must have made their contracts with a perfect knowledge of the terms, and must also have seen the land before they leased ; but from what is set forth in the petition referred to them, the committee have no doubt but that more improvements have been made than was required of them ; and therefore, to relieve them in some measure, submit a bill for the relief of certain lessees of land in Gibson county, reserved for the use of a seminary of learning and vested in the legislature of this state.

Which bill he handed in at the clerk's table, where it was read and ordered to be read a second time on tomorrow.

On motion,

The house proceeded to consider the orders of the day.—and,

Thereupon,

According to order, the house resolved itself into a committee of the whole to consider the bill relative to the incorporation of companies for manufacturing purposes, Mr. Sullivan of Knox in the chair, and after some time spent in the consideration of the said bill, the Speaker resumed the chair and Mr. Sullivan reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments thereto, in which he asked the concurrence of the house.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

Mr. Ross, from the committee for enrolled bills, reported that the said committee did, on this day, present

to his Excellency the Governor for his approbation and signature the enrolled bills entitled as follows, to wit:

An act establishing a permanent seat of justice for the county of Wayne and for other purposes.

An act for the relief of John Depauw—and

An act arranging the boundary line between the counties of Washington and Scott.

The house proceeded to consider the bill relative to the incorporation of companies for manufacturing purposes and the amendments made thereto by the committee of the whole house.

The first amendment, which was the inserting of the word 'ten' in the blank in the first section, before the word 'years,' was read, and on the question of concurrence therein? It was determined in the negative?

The second amendment, which is the following addition to the second section, to wit:

"And no right or privilege granted to any company or incorporation by this act, shall be so construed as to prevent the General Assembly at any time from altering, amending or repealing this act if the same be deemed necessary," was read, and on the question of concurrence therein, the Ayes and Noes were demanded by Messrs. Hay and Hanna.

Those who voted in the affirmative were,

Messrs. Clark, Goudie, Green, Grass, Hanna, Holman, McDonald, Milroy, Powell, Robb, Sturgus, Sullivan of Knox, Swaine, Zenor and Graham, Speaker—15.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Gibson, Hay, John, Merrell, Ross, Sullivan of Jefferson, Tipton, and Yandes—11.

And so the amendment was concurred.

By unanimous consent, the second and third amendments were concurred in.

The fifth amendment, which is the striking out of that part of the seventh section, which contemplates the

Individual responsibility of each stockholder at the time of the dissolution of the copartnership to the extent of their respective shares of stock, and the insertion of a provision by which the stockholders, at any time, are responsible and liable both jointly and severally, for the whole amount of debts, and by which the same may be collected of the corporation by an action of debt, and from each individual of the corporation if the company fail to pay the same in their corporate capacity, was considered by the house ; and the question on concurring therein was before the house—when,

Mr. Robb moved that the farther consideration of the said bill be indefinitely postponed.

And the question being put upon that motion, it was determined in the negative ; and the Ayes and Noes being demanded by Messrs. Robb and Battell,

Those who voted in the affirmative were,

Messrs. Clark, Goudie, Hanna, Holman, McDonald, Milroy, Powell, Robb and Sullivan of Knox—9.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Gibson, Grass Green, Hay, John, Merrell, Ross, Sturgus, Sullivan of Jefferson, Swaine, Tipton, Yandes, Zenor and Graham, Speaker—17.

The house resumed the consideration of the amendment to the said bill last mentioned.

And the question being put, Will the house concur therein? It was determined in the affirmative ; and the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Goudie, Grass, Green, Hanna, Holman, John, McDonald, Milroy, Powell, Robb, Sturgus, Sullivan of Knox, Zenor and Graham, Speaker—15.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Gibson, Hay, Merrell, Ross, Sullivan of Jefferson, Swaine, Tipton, and Yandes—11.

On motion by Mr. Battell,

Resolved, That the further consideration of the bill aforesaid be postponed till the second Monday in December next.

Mr. Ross gave notice that on to-morrow, or some subsequent day of the present session he will ask leave to introduce a bill to incorporate the New-Albany manufacturing company.

A message from the Senate by their assistant secretary Mr. Dunbar,

Announcing that the Senate have concurred in the amendment made to the engrossed bill, by this house entitled an act supplementary to an act, entitled an act, supplementary to an act, entitled an act, fixing seats of justice in all new counties hereafter to be laid off, so far as that amendment contemplates county treasurers receiving two per cent, on monies arising from the sale of lots at any county seat; and that they have amended the amendment made by this house, to said bill, which provides that treasurers shall not receive more than three per cent on all monies which shall pass through their hands, and the Senate have receded from the first amendment made by that body to the engrossed bill from this house, entitled an act amendatory to the several acts, regulating the assessment and collection of revenue in this state, (which amendment contemplated the assessment of a tax upon certain horned cattle therein named,) and that they insist on the amendment providing for the printing of fifty copies of the said bill to be filed in the offices of the clerks of the several circuit courts within the state.

Mr. Ross moved that the house concur in the amendment made by the Senate to the amendment made by this house to the bill supplementary to an act, entitled an act, supplementary to an act, fixing seats of justice in all new counties hereafter to be laid off, and the question on that motion being put, it was determined in the negative.

Ordered, That the Senate be informed thereof.

On motion,

Resolved, That the house recede from their objections to the amendment made by the Senate to the engrossed bill, from this house, entitled an act amendatory to the several acts, regulating the assessment and collecting revenue in this state, which contemplates the printing of fifty copies of the said bill to be filed in the offices of the clerks of the several circuit courts in this state.

Ordered, That the Senate be informed thereof.

According to order, the house resolved itself into a committee of the whole to consider the several bills, heretofore referred on the subject of roads and highways, and also all the other documents, petitions, and remonstrances on the same subject, Mr. Ross in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair and Mr. Ross reported that the committee of the whole, had according to order had the several bills, documents, petitions and remonstrances under consideration and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Leave to sit again is granted accordingly.

A message from the Governor by Mr. Lilly,

Announcing that his Excellency did on Saturday the 23d instant approve and sign,

An act to repeal an act, entitled an act, to amend an act entitled an act subjecting real and personal estate to execution, approved January 18th, 1818 ; also,

An act extending the boundaries of Randolph county.

And on this day, (Tuesday Dec. 26th,)

An act for the relief of Sheriffs.

On motion,

And the House adjourned till to-morrow morning at nine o'clock.

Wednesday, December 27th, 1820.

The House met pursuant to adjournment.

A message from the Senate by Mr. Polke, Announcing that the Senate have passed a joint resolution of the General Assembly of the state of Indiana, to promote education, which originated in this house, with an amendment in which the concurrence of this house is requested.

The said amendment having been read, it was resolved that the house concur therein.

Ordered, That the Senate be notified thereof.

Mr. Milroy from the committee of ways and means, submitted the following report :

The committee of ways and means to whom was referred so much of the Governor's message as relates to the revenue, together with the report of the auditor and treasurer, report that they have had the subjects referred to them under consideration, and from the best evidence the committee are able to make the expenditures of the current year, commencing 27th November 1820, will amount to nineteen thousand seven hundred dollars, all which will more fully appear from the following detail :

In discharging the claims of the judiciary department including outstanding claims and allowances to the sheriff of Harrison county for his attendance on Supreme court - - - - - \$ 5,800 00

In discharge of the claims of the legislative department including incidental expenses - - - - - 8,500 00

In discharge of the claims of the Executive department - - - - - 2,400 00

In discharge of warrants audited and not yet presented at the treasury - - - - - 800 00

In discharge of claims due for the enumeration of the free white male inhabitants of this state - - - - - 600 00

In discharge of allowances to the commissioners appointed to locate the permanent seat of government - - 600 00

In discharge of militia expenditures including outstanding claims and allowances to agents of salt lick reserves - 500 00

In discharge of the contingent fund 500 00

Making a sum total of 19,700 00

The probable amount of receipts at the treasury department for the current year commencing as aforesaid, on Nov. 27th 1820, will probably amount agreeably to the estimate of the auditor of public accounts to the sum of \$ 13,769 00

Which will more fully appear from the following detail.

Amount due from the several counties from which duplicate returns have been received - - - 10,681 00

Amount due from the counties from which no duplicate returns have been received estimated by the returns of former years - - - 3,087 00

Making a sum total 18,769 00

The committee further would remark that the auditor of public accounts reports arrearages due from sundry sheriffs for the years 1817, 1818 and 1819 to the amount of 3,948 54

Which added to the probable receipts of the current year would make a sum total of 17,717 54 00

But as it is reasonable to suppose that as many delinquencies will accrue in the present as in former years, the committee do not feel themselves warranted in estimating the probable receipts at the treasury at a greater sum than that above stated to wit : 13,769 00

Which sum deducted from the probable demands at the treasury, in the current year will leave a deficit of 5,931 00

Which deficit it becomes the duty of the General Assembly to provide means to supply, and as to the means most proper for this purpose, those which present themselves for consideration are a resort to loans as heretofore or an issue of treasury notes.

The committee would further remark that under existing circumstances it would be improper to provide by taxation for the discharge of the public debt at present, as it is believed that the bank to which this debt is due, will be satisfied at present with the payment of the interest, which may be satisfactorily done by converting the interest due into a *loan*.

The duty assigned the committee by law, of examining the offices of the auditor of public accounts and treasurer of state have been performed, and the committee have the satisfaction to state, that the books of their departments are kept in a manner creditable to those officers, and that the amount of money in the treasury, produced to the committee by the treasurer, corresponds with his annual report.

The treasurer furnished the committee with a report, in detail, of the receipts and expenditures of the preceding year, which has been found on examination to correspond with the treasury books and with the aggregate receipts and expenditures as per the annual report—which report is herewith submitted, together with the estimates of the ensuing year, emanating from the treasury office, and also a report of the auditor of public accounts of the probable amount of revenue for the current year.

All which is respectfully submitted.

SAM'L. MILROY, *Chairman.*

The said report having been read, was, with the documents therein mentioned referred to a committee of

the whole and made the order of the day for to-morrow.

Mr. Ross submitted the memorial of John Fichili, praying certain relief therein named, which was read, and referred to a committee composed of Messrs. Ross, Tipton and Sullivan of Jefferson, to consider and report thereon.

Mr. Tipton from the committee to whom was referred the memorial of James K. Scott, reported that the said committee had instructed him to submit a bill for the relief of James K. Scott and others; which bill he handed in at the clerk's table.

The rule being dispensed with the said bill was twice read and ordered to be engrossed and read a third time to-morrow.

Mr. Milroy submitted the petition of sundry citizens of Washington and Jackson counties, praying the establishment of a certain road therein named, which having been read is,

Ordered, To lie on the table.

A message from the Governor by Mr. Lilly, Announcing that his Excellency did on this day approve and sign an enrolled bill entitled,

An act arranging the boundary line between the counties of Washington and Scott.

The Speaker submitted a communication from Eli Lee trustee of the public seminary for Monroe county, from which it appears that he has now in his hands,

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A message from the Senate by Mr. Drew,

Announcing that the Senate insist on their objections to the amendment made by the house of representatives, to a bill which originated in the Senate, entitled an act supplemental to an act, entitled an act, supplementary to an act entitled an act fixing seats of justice in all new counties hereafter to be laid off, which amendment is in the following words "and not more than three per cent on all other monies that pass through his hands as county treasurer."

On motion,

Resolved, That the house recede from said amendment.

Ordered. That the Senate be notified accordingly.

Mr. Sullivan of Jefferson from the committee to whom was referred the petition of Marshal Smith, reported that the said committee had directed him to prepare and submit a bill for the relief of Marshal Smith executor of Cyrus N. Smith deceased, which bill he handed in at the clerk's table, where it was twice read (the rule being dispensed with) and ordered to be engrossed and read a third time on to morrow.

Mr. Clark submitted the petition of John Berry and Hanna Campbell, praying certain relief; which was read and referred to a select committee composed of Messrs. Clark, Tipton and Sullivan of Jefferson to consider and report thereon.

Mr. Tipton from the committee appointed to furnish the house with stationary and to procure additional seats &c. reported that the committee had discovered that a contract had been made with A. Brandon to furnish stationary during the present session; pursuant to an act of the last General Assembly which the committee deemed a discharge of that duty assigned them.

That they have contracted with James Lightfoot for one table at five dollars, and for repairing a table and the door of the representative chamber two dollars; with Wilson and Bayless for one ax for the use of the door-keeper, three dollars and fifty cents; with Joseph Rose for making one table, five dollars; with Levin Cooper for a table, for the use of a Speaker, four dollars thirty-seven and one half cents; and with Isreal Butt, for repairing the stove pipe in the representative chamber, three dollars and fifty-cents. Which report was read and concurred in by the House.

Mr. Sullivan of Jefferson from the committee to whom was referred the petition of John Burns, reported that the said committee had directed him to prepare and sub-

mit a bill for the benefit of the surviving heir of John Smith de'd. Which bill he handed in at the clerk's table, where it was read & ordered to be read a second time to-morrow.

Mr. Merrell pursuant to notice asked and obtained leave to bring in a bill to prevent injury by dogs; which bill was read and ordered to be read a second time to-morrow.

Mr. Hay, from the committee to whom was referred the petition of William K. Ritchie and others, reported that the said committee had directed him to prepare and submit a bill appointing commissioners to locate the seat of justice of Scott county and for other purposes.

Which bill he handed in at the clerk's table, where it was read and passed to its second reading on to-morrow.

A message from the Senate by their assistant secretary, Mr. Dunbar,

Announcing that the senate have passed an engrossed bill from this house, entitled an act to amend an act, entitled an act to license and regulate taverns: having amended the same by adding an additional section.

The said amendment was read—and,

On motion,

Resolved, That the house concur therein.

Ordered, That the senate be notified accordingly.

Mr. Ross, from the committee for enrolled bills, reported that the said committee had examined and compared the enrolled bills, entitled an act supplemental to an act, entitled an act to incorporate Madison Academy, and an act to facilitate prosecutions for perjury, and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the Senate be informed thereof.

And the house adjourned till three o'clock.

The House met pursuant to adjournment.

And on motion,

The House adjourned till to-morrow morning at nine o'clock.

Thursday, December 28th, 1820.

The House met pursuant to adjournment.

Mr. Ross, from the committee to whom was referred the memorial of John Fichili, reported that the said committee had directed him to prepare and submit a bill for the benefit of John Fichili.

Which bill he handed in at the clerk's table, where it was read and ordered to be read a second time to-morrow.

Mr. McDonald asked and obtained leave to bring in a bill for the erection of a house for the employment and support of the poor of Knox county.

Which bill was read and ordered to be read a second time to-morrow

Mr. Tipton gave notice that he will on to-morrow, ask leave to bring in a bill to reduce the fees of sundry officers therein named.

Mr. Tipton also introduced the following resolution :

Resolved, That the members of the House of Representatives will receive but one dollar and fifty cents per day for their services during the present session, and that the senate be informed thereof.

Which resolution was read and rejected.

John Ewing, a representative elect from the county of Perry, now appeared, produced his credentials, was sworn into office and took his seat as a member.

Ordered, That his credentials be referred to the committee on elections.

Mr. Robb submitted the petition of sundry citizens of Posey county, praying the establishment of a road therein mentioned.

Which was read and referred to the committee of the

whole to whom was referred the bills, &c. on the subject of roads and highways.

Mr. Sturgus submitted the petition of sundry citizens of Vigo county, praying the formation of a new county.

Which was read and referred to a committee composed of Messrs. Sturgus, McDonald and Chambers, to consider and report thereon.

Mr. Ross, from the judiciary committee, submitted a bill to amend the acts relative to foreign and domestic attachments.

Which was read and ordered to be read a second time on to-morrow.

On motion by Mr. Merrell,

Resolved, That no new business shall be acted on after Saturday next without the consent of two thirds of the members of the house.

Mr. Milroy submitted the following resolution :

Resolved, That the committee of ways and means be instructed to prepare and report a bill to this house, providing for an issue of treasury notes to the amount of six thousand dollars, bearing an interest of six per cent per annum from the date of the issue until redeemed, to be receivable in payment of debts due the state, and redeemable at the treasury, for which a sufficient portion of the revenue be pledged.

Which resolution was read, and referred to the committee of the whole to whom was referred the report of the committee of ways and means, submitted on yesterday.

Mr. Chambers submitted the petition of John Vestal praying a divorce, and sundry documents in support of the said petition—which were read.

Whereupon,

Mr. Crawford moved that the further consideration of the said petition be indefinitely postponed.

And the question on that motion being put, it was determined in the affirmative—Ayes 13—Noes 12.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Crawford, Gibson, Goudie, Green, Hanna, John, Merrell, Milroy, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Clark, Chambers, Ewing, Grass, Hay, Holman, Robb, Ross, Swaine, Tipton & Yandes.

Mr. John introduced the following resolution:

Resolved, That a committee be appointed to enquire into the expediency of appropriating a part of the three per cent fund on all such roads as were authorised to be established, and legal returns of which have been made to the secretary of state's office, under the provisions of an act, entitled an act locating certain road therein named and for other purposes, approved 22d January, 1820, with leave to report by bill or otherwise.

On motion by Mr. Robb,

The said resolution was amended by striking out the words "and legal returns of which have been made to the secretary of state's office."

On motion by Mr. Sullivan of Knox,

Resolved. That the further consideration of the said resolution be indefinitely postponed—Ayes 15—Noes 11.

The Ayes and Noes being demanded by two members.

Those who voted in the affirmative were,

Messrs. Clark, Crawford, Ewing, Gibson, Grass, Green, McDonald, Merrell, Milroy, Robb, Sturgus, Sullivan of Knox, Swain, Zenor and Graham, Speaker—15.

Those who voted in the negative were,

Messrs. Battell, Chambers, Goudie, Hay, Hanna, Holman, John, Powell, Sullivan of Jefferson, Tipton and Yandes—11.

Mr. Tipton submitted the petition of Elizabeth and Alpheus Brankiam.

Which was read and referred to the committee to whom was referred the petition of John Berry, to consider and report thereon.

Mr. Milroy asked for and obtained leave to introduce a joint resolution of the General Assembly of the state of Indiana, relative to banks; which was read and ordered to be read a second time on to-morrow.

On motion,

The house proceeded to consider the orders of the day.

The engrossed bill, from the senate, entitled an act for the formation of a new county out of the counties of Franklin, Wayne and Fayette, and to enlarge the county of Wayne, was read a third time and passed.

Ordered, That the senate be informed thereof.

The house resumed the consideration of the engrossed bill from the senate, entitled an act for the apportionment of the senators and representatives within this state; and the said bill was read and referred to the committee of the whole to whom was referred the bill (which originated in this house) to apportion the senators and representatives in the state of Indiana.

Whereupon—On motion,

According to order, the house resolved itself into a committee of the whole, to consider the two last mentioned bills, Mr. Holman in the chair, and after some time spent in the consideration of the said bills, the Speaker resumed the chair, and Mr. Holman reported, that the committee of the whole had, according to order, had the said bills under consideration, and had made sundry amendments to the said engrossed bill (from the senate) entitled an act for the apportionment of the senators and representatives within this state, in which they had instructed him to ask the concurrence of the house.

The amendments reported to the said bill from the senate are as follows; to wit :

1st. The striking out so much of the first section as apportions to Clark county three representatives, and inserting a provision apportioning to said county of Clark but two representatives.

2nd. The apportioning of one representative to Bartholomew county.

3rd. To the second section, one amendment contemplating the attaching of Bartholomew county to the senatorial district composed of Jackson and Scott.

On motion,

Resolved, That the house concur in the said first amendment—Ayes 15—Noes 12

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Crawford, Ewing, Hanna, John, McDonald, Merrell, Milroy, Powell, Robb, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Chambers, Goudie, Grass, Green, Hay, Holman, Ross, Swaine, Tipton, and Yaudes.

The second amendment to the first section was read and concurred in by the house.

On motion,

Resolved, That the house concur in the said amendment to the second section—Ayes 17—Noes 10.

The Ayes and Noes were demanded by two members—and,

Those who voted in the affirmative were,

Messrs. Battell, Clark, Gibson, Goudie, Grass, Green, Hay, Holman, John, Merrell, Robb, Ross, Sturgus, Sullivan of Knox, Swaine, Tipton, and Zenor.

Those who voted in the negative were,

Messrs. Chambers, Crawford, Ewing, Holman, Mc-

Donald, Milroy, Powell, Sullivan of Jefferson, Yandes and Graham, Speaker.

Mr. Sullivan of Knox, moved so to amend the said bill that the counties of Gibson, Pike, Dubois and Spencer shall have one senator; and the counties of Posey, Vanderburgh and Warrick shall have one senator; which amendment was rejected—Ayes 5—Noes 22. And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Goudie, Milroy, Sullivan of Knox and Yandes.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Ewing, Gibson, Grass, Green, Hay, Hanna, Holman, John, McDonald, Merrell, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson, Swaine, Tipton, Zenor and Graham, Speaker.

Mr. Sullivan of Knox, moved so to amend the said bill as that the county of Daviess be entitled to one representative, and the county of Martin to one representative; which amendment was also rejected—Ayes 10. Noes 16.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Chambers, Hay, McDonald, Powell, Robb, Ross, Sturgus, Sullivan of Knox and Yandes.

Those who voted in the negative were,

Messrs. Battell, Crawford, Ewing, Gibson, Grass, Green, Hanna, Holman, John, Merrell, Milroy, Sullivan of Jefferson, Swaine, Tipton, Zenor and Graham, Speaker.

Mr. Tipton moved so to amend the said bill that Switzerland county be entitled to but one representative instead of two; which motion was determined in the negative—Ayes 7—Noes 20.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,
messrs. Gibson, Green, Hay Ross, Sullivan of Knox,
Tipton and Zenor.

Those who voted in the negative were,
messrs. Battell, Chambers, Crawford, Ewing, Goudie, Grass, Hanna, Holman, John, McDonald, Merrell, Milroy, Powell, Robb, Sturgus, Sullivan of Jefferson, Swaine, Yandes and Graham, Speaker.

On motion,
The house adjourned to three o'clock.

The house met pursuant to adjournment,

The house resumed the consideration of the bill from the senate, for the apportionment of the senators and representatives within this state.

Mr. Sullivan of Knox moved so to amend the said bill as that the county of Daviess be entitled to one representative; the counties of Green and Martin be entitled to one representative; and the counties of Morgan and Owen be entitled to one representative; which amendment was rejected—Ayes 12—Noes 15.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,
messrs. Crawford, Hay, McDonald, Powell, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Tipton, Yandes, Zenor and Graham, Speaker.

Those who voted in the negative were,
messrs. Battell, Chambers, Ewing, Green, Goudie, Grass, Gibson, Hanna, Holman, John, Merrell, Milroy, Robb, Ross and Swaine.

Mr. Sullivan of Knox moved so to amend the said bill as that the county of Daviess be entitled to one representative, the county of Martin to one representative, and the counties of Green, Owen and Morgan to

one representative; which amendment was rejected—
Ayes 11—Noes 15.

The Ayes and Noes were demanded by two members,

Those who voted in the affirmative were,

Messrs. Crawford, Green, Hay, McDonald, Powell, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Tipton, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Chambers, Ewing, Gibson, Goudie, Grass, Hanna, Holman, John, Merrell, Milroy, Robb, Ross, Swaine, and Yandes.

Mr. Sullivan of Knox moved so to amend the said bill that the counties of Gibson and Pike be entitled to one representative, instead of one representative each, to wit: by striking out the word 'each'; which amendment was rejected.

Mr. Tipton moved so to amend the said bill that the counties of Green, Owen and Morgan be entitled to one representative; which amendment was adopted.

Mr. Ross moved so to amend the said bill that the counties of Spencer, Crawford, Posey and a part of Warrick county form one senatorial district, and be entitled to one senator; that the counties of Gibson, Pike and Dubois form one senatorial district, and be entitled to one senator; and that the counties of Harrison and Floyd form one senatorial district, and be entitled to one senator.

And the question on that motion being put, it was determined in the negative—Ayes 8—Noes 18.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Gibson, Hay, McDonald, Milroy, Ross, Sturgus, Sullivan of Knox and Zenor.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Ewing, Goudie, Grass, Green, Hanna, Holman, John, Merrell,

Powell, Robb, Sullivan of Jefferson, Swaine, Tipton Yandes and Graham, Speaker.

Mr. Milroy moved that the said bill be recommitted to a committee of the whole house and made the order of the day for to-morrow; which motion was determined in the negative.

Mr. Sullivan of Knox moved that the further consideration of the said bill be postponed till to-morrow; and that in the mean time the clerk engross the amendments adopted by this house; which motion was negatived.

Mr. Ross moved that the said bill lie on the table for the present; which motion was negatived.

Mr. Sullivan of Knox moved that the further consideration of the said bill be indefinitely postponed; which motion was negatived.

Mr. Sullivan of Knox moved to amend the said bill by way of a rider; which motion was determined to be out of order.

On motion,

The said bill was read a third time, and the question being put, Shall this bill pass? It was determined in the affirmative, ayes 17—noes 10.

And the ayes and noes being demanded by two members, those who voted in the affirmative were,

Messrs. Battell, Chambers, Crawford, Ewing, Goudie, Grass, Green, Hanna, Holman, John, Merrell, Powell, Robb, Sullivan of Jefferson, Swaine, Yandes and Graham Speaker.

Those who voted in the negative were,

Messrs. Clark, Gibson, Hay, McDonald, Milroy, Ross, Sturgus, Sullivan of Knox, Tipton and Zenor.

Messrs. Sullivan of Knox and Ross, severally gave notice that on some subsequent day of the present session, they will enter their protest against the passage of the said bill.

Ordered, That the Senate be informed of the passage

of the said bill and that their concurrence in the amendments made by this house be requested.

The bill for the relief of James K. Scott, and others, was read a third time and passed.

Ordered, That the same be entitled an act and that the Senate be informed of the passage thereof, and their concurrence therein requested.

The bill for the relief of Marshal Smith was read a third time and passed.

Ordered, That the same be entitled an act and that the Senate be informed of the passage thereof and their concurrence therein requested.

The bill legalising the board of county commissioners of Vigo county, was read a second time.

Ordered, That the same be engrossed and read a third time on to-morrow.

And the House adjourned till to morrow morning at nine o'clock.

Friday, December 29, 1820.

The house met pursuant to adjournment.

Mr. Green asked for and obtained leave to submit the proposals of sundry citizens of Levenworth in Crawford county, relative to the building of a court-house in said town should the seat of justice for said county, be located in said town.

Which proposals together with some documents accompanying, were read and referred to the committee, to whom was referred the petitions from Crawford county, on the subject of a relocation of the seat of justice for said county

Mr. Ross from the judiciary committee to whom was referred the resolution to enquire into certain difficulties existing in Clark's grant relative to conveyances and titles which have never been conveyed by the commissioners, appointed by the state of Virginia reported that the said committee had directed him to report a joint resolu-

tion, on that subject; which resolution he handed in at the clerk's table, where (the rule being dispensed with) it was twice read and,

Ordered, To be engrossed and read a third time to-morrow.

Pursuant to notice Mr. Tipton introduced a bill supplementary to an act entitled an act fixing the salary of certain officers and for other purposes approved 27th December 1816 ; which bill having been read,

Mr. Sullivan of Knox moved that the further consideration thereof be indefinitely postponed, which motion was determined in the affirmative, ayes 21—noes—5.

The ayes and noes being demanded by two members—those who voted in the affirmative were,

Messrs. Battell, Chambers, Crawford, Ewing, Gibson, Goudie, Grass, Green, Hay, Holman, John, Merrell, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Swaine, Zenor and Graham Speaker.

Those who voted in the negative were,

Messrs. Clark, Hanna, McDonald, Milroy, and Tipton.

By unanimous consent ordered that the said last mentioned bill be spread on the journals ; and is in the words following to wit :

A bill supplementary to an act entitled an act, fixing the salary of certain officers and for other purposes, approved December 27th 1816.

Sec. 1. *Be it enacted by the General Assembly of the state of Indiana.* That the members of the General Assembly shall not receive more for their services, than one dollar and fifty cents per day, for each and every day's on the same, and the same mileage as they are allowed in the act to which this is a supplement.

Sec. 2. The secretary and assistant secretary of the Senate, and the clerk and assistant clerk of the house of representatives shall be entitled to and receive two dollars and fifty cents for their services.

Sec. 3. The associate judges of the circuit courts, and the county commissioners of each county, shall receive one dollar and fifty cents per day, and no more for their service.

Sec. 4. The supervisors of the roads, the returning judges of elections, overseers of the poor and the superintendants of sections of land reserved for the use of schools, shall receive for their services as such no other compensation, than be exempt from militia duty, from which they are hereby exempt in time of peace.

Sec. 5. The county treasurer of each county, shall not receive for their service more than four per cent on the money by them received and paid out.

Sec. 6. The county commissioners of each county in this state shall reduce the annual salary of the clerk, and sheriff of their respective counties one fourth of the sum they are now allowed by law.

On motion by Mr. Sullivan of Knox.

Resolved. That the judiciary committee be instructed to prepare and report a bill fixing the time of holding the Supreme and circuit courts of this state.

Mr. Sullivan of Knox introduced the following resolution :

Resolved, by the house of representatives of the General Assembly of the state of Indiana. That the secretary of state report to this house, the enumeration of the whole male inhabitants in each county of this state above the age of twenty one years, as returned to his office by the several clerks of the state.

Which resolution having been read was rejected.

Mr. Battell gave notice that he will on to morrow introduce a bill defining the duties of sheriffs and collectors in certain cases.

Mr. Clark from the committee on that subject reported a bill for the relief of the heirs of Thomas Berry deceased and of William S. Branham; which bill the rule being dispensed with, was twice read and referred

to a committee of the whole and made the order of the day for to-morrow.

A message from the Senate by their assistant secretary Mr. Dunbar.

Announcing that the Senate have concurred in the amendments adopted by this house to the engrossed bill which originated in the Senate, entitled an act for the apportionment of Senators and representatives within this state.

A message from the Senate by Mr. Daniel,

Announcing that the senate have passed an engrossed bill entitled an act amendatory to the act entitled an act for the relief of insolvent debtors, approved January 20th 1820.

The said bill, the rule being dispensed with, was twice read and referred to a committee of the whole house on to-morrow.

Mr. Battell gave notice that he will on to-morrow introduce a bill authorising a change of venue in certain cases.

Mr. Sullivan of Knox submitted the following resolution.

Resolved, That a select committee be appointed to draft and report a bill compelling each county and senatorial district to pay their own members of the General Assembly ; which was read.

Mr. Tipton moved that the further consideration of the said resolution be indefinitely postponed ; which motion was negatived—ayes 13—noes 14.

And the ayes and noes being demanded by two members—those who voted in the affirmative were,

Messrs. Battell, Chambers, Crawford, Ewing, Grass, Green, Hanna, Merrell, Robb, Sullivan of Jefferson, Tipton, Zenor and Graham Speaker.

Those who voted in the negative were,

Messrs. Clark, Gibson, Gondie, Hay, Holman, Mc Donald, Milroy, Powell, Ross, Sturgus, Sullivan of Knox, Swaine and Yandes.

Mr. Tipton moved to amend the said resolution by adding the following to-wit :

“ And that towns and townships out of which representatives are elected, shall pay such representatives.

Which motion was negatived.

Ordered, That the said resolution lie on the table.

The house proceeded to consider the orders of the day.

The engrossed bill legalising the board of county commissioners of Vigo county, was read a third time and passed.

Ordered, That the same be entitled an act, and that the Senate be informed of the passage thereof and their concurrence therein requested.

The house according to order resolved itself into a committee of the whole, to consider the bill amending an act, reducing into one all the acts and parts of acts, now in force in this state, regulating proceedings in actions at law and suits in chancery, Mr. Clark in the chair, and after some time spent in the consideration of the said bill, the Speaker resumed the chair, and Mr. Clark reported that the committee of the whole, had according to order had the said bill under consideration, and had made some amendments thereto, in which he asked the concurrence of the house.

The said amendments were read and concurred in by the house.

Mr. Ross moved to amend the said bill by striking out the first and second sections thereof, which are in the words following to wit :

Sec. 1. Be it enacted by the General Assembly of the state of Indiana, That in actions and suits in which issue is joined, witnesses shall on application of either party be subpoenaed to appear on the day such suits are set for trial and in actions or suits, in which bail is or may be required without a judges order, and in actions of replevin, witnesses shall be subpoenaed to appear on the day next succeeding the one on which the said

causes are set for trial : *Provided*. The declaration is filed and the writ has been issued ten days at least before the return day thereof. In other causes the court shall require declarations to be filed at or before the time the writ shall have been returned, executed, and shall give the defendants reasonable time in vacation, to plead thereto, & shall require replications to be filed on or before the first day of the succeeding term at which term witnesses shall be subpoenaed to appear as is above required ; when issue is joined on the day the cause is set for trial and when it is not joined on the next succeeding day.

Sec 2. Either party concerned in a cause pending, may serve subpoenas, and such service when sworn to, shall have the same force and effect as if done by the sheriff or other officer of the court, but such party shall not be allowed fees for travelling and service.

A division of the question being demanded, the question was put on striking out the first section, and was determined in the negative.

The question on striking out the second section, was put and also determined in the negative.

Ordered, That the said bill be engrossed and read a third time on to-morrow.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

A message from the Senate by Mr. Drew, Announcing that that body have passed an engrossed bill, which originated in this house, entitled an act for the formation of a new county out of the counties of Jackson and Delaware, with some amendments, in which the concurrence of this house is requested.

The first and second amendments were read and concurred in by unanimous consent.

The third amendment which contemplates the extension of the western boundary of said new county six miles ; was read when,

On motion,

It is ordered that the said bill lie on the table till to-morrow morning.

The engrossed bill from the Senate entitled an act, supplementary to an act, subjecting real and personal estate to execution was read a second time and referred to a committee of the whole and made the order of the day for this day.

On motion by Mr. Powell,

Ordered, That the bill to amend the act subjecting real and personal estate to execution, which originated in this house, and the bill granting pecuniary relief, which also originated in this house, be referred to the same committee of the whole, to whom was referred the engrossed bill, from the Senate, entitled an act supplementary to an act subjecting real and personal estate to execution.

The house according to order resolved itself into a committee of the whole to consider the three last mentioned bills, Mr. Milroy in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Milroy reported that the committee of the whole, had according to order had the said bills under consideration, and had assented the said bill, granting pecuniary relief, and the said bill to amend the act subjecting real and personal estate to execution, by striking each of them out from their enacting clause & that to the said engrossed bill from the Senate, entitled an act supplementary to an act subjecting real and personal estate to execution, the committee had made sundry amendments, in all which the committee had directed him to ask the concurrence of the house.

On motion,

Resolved, That the house concur in the amendments made to the bill granting pecuniary relief, and to the bill to amend the act subjecting real and personal estate to execution

A message from the Senate by Mr. Daniel,

Announcing that the Senate have adopted the following resolution :

Resolved, That the Senate agree to adjourn on Thursday the fourth day of January 1821 *sine die* and that the house of representatives be informed thereof, and a similar resolution requested on their part.

And the house adjourned till seven o'clock this evening.

The House met pursuant to adjournment.

The house according to leave resolved itself into a committee of the whole, to consider the several bills referred, on the subject of public roads, and the petitions, remonstrances and other documents on that subject, Mr. Robb in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Robb reported that the committee of the whole had according to order, had the said several bills, petitions, remonstrances &c referred to them under consideration & had made sundry amendments to the bill to amend an act entitled an act, to locate certain permanent roads therein named, in which he asked the concurrence of the house.

Mr. Robb further reported that the following bills, which were referred to the committee of the whole, to-wit: "a bill to authorise a change of part of the state road as laid off from New Albany to Hindostan," "a bill to establish a state road from the Ohio state line, to the permanent seat of government of this state," "a bill to establish a state road from Lawrenceburgh to St. Mary's river," had been amended by striking them out from their enacting clause.

Mr. Sullivan of Knox moved that the further consideration of the said bill to authorise the change of a part of the state road, as laid off from New Albany to Hindostan be indefinitely postponed.

Which motion was determined in the affirmative.

On motion,

Resolved, That the further consideration of the bill to establish a state road from the Ohio state line to the permanent seat of government of this state, and the bill to establish a state road from Lawrenceburgh to the St. Mary's river be indefinitely postponed.

On motion,

Resolved, That the house concur in the amendments adopted by the committee of the whole to the bill to amend an act entitled an act, to locate certain permanent roads therein named.

Ordered That the same be engrossed and read a third time on Monday next.

On motion,

Ordered, That the bill subjecting bank notes, refused to be redeemed with specie to interest, be referred to a committee of the whole on to-morrow.

The bill requiring free people of color, emigrating to this state to bring with them a certificate of their freedom, was read a second time and referred to a committee of the whole house on this evening.

Whereupon,

The house according to order, resolved itself into a committee of the whole to consider the last mentioned bill. Mr. Merrell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Merrell reported that the committee of the whole had according to order, had the said bill under consideration and had made some amendments thereto, in which he asked the concurrence of the house.

On motion,

Resolved, That the house do concur therein.

Ordered, That the said bill lie on the table.

The bill attaching a part of Clark county to the county of Harrison, was read a second time, and referred to a committee of the whole on to-morrow.

The house according to order, resolved itself into a committee of the whole to consider the bill granting fur-

ther power to the board of county commissioners of Dearborn county, Mr. Tipton in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Tipton reported that the committee of the whole had, according to order had the said bill under consideration and had amended the same, by extending the provisions thereof, to the several counties therein named. in which amendment he asked the concurrence of the house.

Resolved, That the house concur therein.

Ordered, That the same be engrossed and read a third time on to morrow.

The engrossed bill from the Senate, entitled an act, providing a summary method of collecting debts in certain cases, was read a second time and referred to a committee of the whole on to morrow.

Mr. Ross from the committee for enrolled bills, reported that the said committee had examined and compared an enrolled joint resolution, providing for an interchange of statute laws with the several states of the Union and an enrolled bill entitled an act for the benefit of John De Pauw, and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

The bill to amend an act entitled an act, regulating mills and millers, was read a second time and referred to a committee of the whole on this evening.

Whereupon,

The house according to order resolved itself into a committee of the whole to consider the last mentioned bill, Mr. Sullivan of Jefferson in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Sullivan reported that the committee of the whole, had according to order had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Leave to sit again is not granted, and

On motion,

Resolved, That the said bill be referred to a select committee composed of Messrs. Tipton, Milroy, and Gibson with instructions to incorporate in said bill, all the laws and parts of laws now in force in this state, on the same subject and to make report accordingly on Monday next.

And the House adjourned till to-morrow morning at nine o'clock.

Saturday, December 30th, 1820.

The House met pursuant to adjournment.

Mr. Holman submitted the following resolution :

Resolved, That each member of this General Assembly be privileged to take out of the office of the secretary of state, one copy of each of the statute laws of this state now in force for the use of his county ; which was read and ordered to lie on the table.

Mr. Ross submitted the following resolution :

Resolved, By the House of Representatives of the state of Indiana, (the senate concurring therein) that the holding in involuntary servitude or slavery any part of the human race is unjustifiable by the law of nature, contrary to the intention of our republican institutions, and contrary to the spirit and genius of our federal governments.

That we view with anxiety and distrust all attempts to spread and perpetuate in the United States a principle so obnoxious to freemen, so demoralizing to our fellow citizens, and so indeliably staining to the character of the nation.

That we conceive that by the constitution of the United States, Congress are authorized to pass laws to prevent the migration of slaves from one part of the union to another, to restrict the admission of new states, by prohibiting their holding persons as slaves within

their jurisdiction, and to provide that persons, from and after a certain period, shall not be held as slaves.

And that we consider that the constitution of Missouri is in violation of the first principles of our national government and the constitution of the United States, in its provisions to restrain their legislature from passing laws to emancipate and to prohibit the residence of free people of color.

And be it further resolved, That our senators and representative in Congress be requested to use their endeavours to procure the passage of a law by Congress, authorizing the people of the territory of Missouri to revise their constitution, with the restriction that said territory shall provide that no more slaves shall be admitted within their jurisdiction, and that they make no restriction upon the right of free persons to settle and reside in their territory.

Which resolution was read.

Whereupon,

The Speaker decided the same to be such a resolution as requires three several readings on three several days.

From which decision an appeal was taken.

Whereupon,

It was resolved by the house, that the decision of the Speaker be reversed (by a majority of one vote.)

On motion,

Ordered, That the said resolution lie on the table till this afternoon.

Mr. Powell, from the committee on elections, reported that the said committee have taken into consideration the credentials of John Ewing, a member elect from Perry county, and had instructed him to report that the said John Ewing is legally elected a representative from said county of Perry for the year 1820, and is entitled to a seat in this house as a member; which report was read and concurred in by the house.

Mr. Holman submitted the following resolution :

Resolved, That the committee appointed to contract for public printing at the present session, be instructed to contract for three insertions of the act for the formation of a new county out of the counties of Wayne, Franklin and Fayette, in the Indiana Gazette, printed at Corydon; which resolution having been read, was,

On the suggestion of Mr. Ross,

Ordered, To lie on the table for the present.

The house proceeded to consider the orders of the day.

The amendment announced from the senate to the bill for the formation of a new county out of the counties of Jackson and Delaware, by which the western boundary line of said new county is extended six miles westwardly, was further considered—and,

On motion,

It was resolved, that the said amendment be so amended as to extend the said western boundary line of said new county four miles further westwardly, and to the eastern boundary line of Monroe county.

Mr. Milroy moved further to amend the said amendment by inserting the following proviso:

“Provided, That all that part of the said county of Bartholomew west of the range line dividing ranges three and four east, shall be considered as temporarily attached thereto, and shall not be taken as part of said new county in the location of the county seat,

And thereupon,

It was resolved, That the bill be so amended.

In all the other amendments the house unanimously concurred except the sixth amendment, which was the striking out the 8th section of the said bill (as it passed this house) and inserting in lieu thereof the following to wit:

“Be it further enacted, That all that part of Delaware county east of Monroe county, and west of the county Bartholomew aforesaid, be and the same is hereby attached to the county of Monroe.

In which amendment it was resolved that the house do not concur.

Ordered, That the Senate be informed thereof.

A message from the Senate by Mr. Slaughter, Announcing that the senate have discharged the joint committee on their part from the further consideration of the joint resolution upon the subject of the appropriation of the three per cent fund—And further,

That the senate have passed an engrossed bill, entitled an act to repeal all acts and parts of acts now in force in this state, prescribing the mode of changing the venue.

Which said bill was handed in at the clerk's table where it was read.

Ordered, That the same be read a second time on Monday next.

On motion by Mr. Ross,

Resolved, That the joint committee on the part of this house be discharged from the further consideration of the joint resolution upon the subject of the appropriation of the three per cent fund on roads located at the last session.

Ordered, That the senate be notified thereof.

The bill for the benefit of the surviving heir of John Smith deceased, was read a second time.

Ordered, That the same be engrossed and read a third time on Monday next.

The house, according to order, resolved itself into a committee of the whole to consider the report of the committee of ways and means, and the resolution submitted by the chairman thereof, authorizing an emission of treasury notes to the amount of six thousand dollars, Mr. Sullivan of Knox in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Sullivan reported, that the committee of the whole had, according to order, had the said report and resolution under consideration, and had refused to adopt the said resolution submitted by the

chairman of the committee of ways and means; had made no amendment to the report of the committee of ways and means, and had adopted the following resolution, to wit:

Resolved, That the auditor of public accounts be directed to commence joint and several suits on the bond executed by the citizens of Harrison county to the Governor of the state, and that the amount thereof be collected for the benefit of the state; in which he asked the concurrence of the house.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

The house resumed the consideration of the resolution reported by the chairman of the committee of the whole, to whom was referred the report of the committee of ways and means, and the resolution reported by the chairman thereof.

Resolved, That the house concur in said resolution last reported by the committee of the whole.

On motion by Mr. Sullivan of Jefferson,

Resolved, That the said resolution be referred to the committee of ways and means, with instructions to prepare and report a bill pursuant thereto.

The engrossed bill giving further power to the board of county commissioners of Dearborn county was read a third time and passed.

Ordered, That the same be entitled an act giving further power to the board of county commissioners of Dearborn county and other counties therein named; and that the senate be informed of the passage thereof, and their concurrence therein be requested.

The house resumed the consideration of the resolution this day introduced by Mr. Ross, on the subject of slavery and the territory of Missouri.

Whereupon,

Mr. Tipton moved that the further consideration

thereof be indefinitely postponed ; which motion was negatived—Ayes 7—Noes 19.

The Ayes and Noes were demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Green, McDonald, Sturgus, Sullivan of Knox, Robb and Tipton.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Ewing, Gibson, Goudie, Grass, Hay, Hanna, Holman, John, Merrell, Milroy, Powell, Ross, Sullivan of Jefferson, Swaine, Yandes, Zenor and Graham. Speaker.

Mr. Sullivan of Knox moved to amend the said resolution by striking it out from the word 'resolved,' and inserting the following :

“ By the General Assembly of the state of Indiana, that the Congress of the United States of America be requested, and they are hereby authorized by the General Assembly of the state of Indiana, to draft and report a constitution for the adoption of the people of the state of Missouri, called and known by the territory of Missouri.”

A division of the question on that motion being demanded, the question on striking out was put, and was determined in the negative—Ayes 5—Noes 22.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. McDonald, Robb, Sturgus, Sullivan of Knox and Tipton.

Those who voted in the negative were,

Messrs. Battell, Clark, Chambers, Crawford, Ewing, Gibson, Goudie, Grass, Green, Hay, Hanna, Holman, John, Merrell, Milroy, Powell, Ross, Sturgus, Sullivan of Jefferson, Swaine, Yandes, Zenor and Graham. Speaker.

Mr. Ross moved that the house adopt the said reso-

lation; which motion was determined in the affirmative—Ayes 12—Noes 5.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,
messrs. Battell, Clark, Chambers, Crawford, Ewing, Gibson, Goudie, Grass, Green, Hay, Hanna, Holman, John, Merrell, Milroy, Powell, Ross, Sullivan of Jefferson, Swaine, Yandes, Zenor and Graham; Speaker.

Those who voted in the negative were,
Messrs. McDonald, Robb, Sturgus, Sullivan of Knox and Tipton.

By consent, the said resolution was amended by striking out the words "that the holding in involuntary servitude or slavery any part of the human race," immediately after the words "the senate concurring therein," and inserting in lieu thereof the following, to wit:

"That the subjection of any part of the human family to involuntary servitude."

And by striking out the words "and the constitution of the United States in its provisions to restrain their legislature from passing laws to emancipate and to prohibit the residence of free people of color," and inserting in lieu thereof the following, to wit:

"In its provisions to prevent the emancipation of slavery and to prohibit the emigration of free people of color to their territory."

A message from the Senate by Mr. Dunbar, their assistant secretary,

Announcing that the senate refuse to concur in the amendments made by this house to the third and fourth amendments made by the senate to the engrossed bill (from this house) entitled an act for the formation of a new county out of the counties of Jackson and Delaware, and recede from the sixth amendment by that body, made to the said bill, and to which this house disagreed.

Mr. Ross moved that this house recede from the said amendments, by this house made to the said third and fourth amendments made by the senate, to the last mentioned bill.

Which motion was determined in the negative.

On motion,

Resolved, That a committee of free conference be appointed on the part of this house to confer with such similar committee as may be appointed on the part of the senate on the disagreement between the two houses relative to the said third and fourth amendments to the said last mentioned bill.

Messrs. Sullivan of Jefferson, Tipton and Milroy are appointed managers on the part of this house.

Ordered, That the senate be informed thereof, and a similar committee requested on their part.

A message from the Senate by Mr. Harrison,

Announcing that the senate insist on their objections to the amendments made by this house to the third and fourth amendments made by the senate to the bill for the formation of a new county out of the counties of Jackson and Delaware; and have appointed Messrs. Harrison, Gregory and Drew a committee on their part to confer on the disagreement between the two houses on said subject, with the committee heretofore appointed on the part of the House of Representatives.

The house, according to order, resolved itself into a committee of the whole to consider the bill subjecting bank notes refused to be redeemed with specie on demand, to interest from the date of the demand, Mr. Tipton in the chair, and after some time spent in the consideration thereof, the speaker resumed the chair, and Mr. Tipton reported the said bill without amendment.

Ordered, That the said bill be engrossed and read a third time on Monday next.

The house, according to order, resolved itself in a committee of the whole to consider the bill to authorize

the building of a state prison and for other purposes, and the report of the committee on that part of the Governor's message relative to the Jeffersonville Ohio Canal Company, Mr. Holman in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Holman reported, that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Leave is granted accordingly.

And the house adjourned to half past six o'clock this evening.

The House met pursuant to adjournment.

A message from the Senate by Mr. Slaughter.

Announcing that the Senate have passed an engrossed bill from this house, entitled an act for the relief of James K. Scott and others, with an amendment in which the concurrence of this house is requested.

The said amendment was read and unanimously concurred in by the house.

Ordered, That the senate be notified accordingly.

A message from the senate by their assistant secretary Mr. Dunbar,

Announcing that the senate have passed an engrossed bill entitled an act to repeal all acts now in force, in this state, prescribing the mode of changing the venue, in which the concurrence of this house is requested.

The said bill was read and passed to its second reading on Monday next.

The bill to establish the fifth judicial circuit, was read a second time and referred to a committee of the whole on this evening.

Whereupon,

The house according to order resolved itself into a

committee of the whole to consider the said last mentioned bill, Mr. John in the chair, and after some time spent in the considration thereof, the Speaker resumed the chair, and Mr. John reported that the committee of the whole had according to order, had the said bill under consideration and had amended the same by striking it out from its enacting clause, in which amendment he asked the concurrence of the house.

Resolved, that the house concur therein and further,

Resolved, That the further consideration of the said last mentioned bill be postponed till the first Monday in December next.

On motion by Mr. Milroy,

Resolved, That the committee of the whole, to whom was referred the bill authorising the establishing of a state prison, and for other purposes, be discharged from the further consideration thereof—further,

That the said bill be recommitted to the select committee who reported it, with instructions so to amend the same, that the prison proposed to be erected, shall be completed by voluntary contributions of the Jeffersonville Ohio Canal Company, and of individuals, and that the labor of convicts committed to said prison, be limited to the said canal.

The house according to order resolved itself into a committee of the whole to consider the bill, to amend the acts regulating the militia. Mr. Grass in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Grass reported that the committee of the whole had according to order, had the said bill under consideration, and had made sundry amendments thereto, in which they had directed him to ask the concurrence of the house.

Mr. Ross moved that the further consideration of the orders of the day be postponed for the present, which motion was determined in the negative.

Mr. Milroy moved that the said bill to amend the

act regulating the militia lie on the table, which motion was determined in the affirmative.

On motion by Mr. Ross,

The further consideration of the orders of the day is postponed for the present.

Mr. Ross introduced the following resolution :

Resolved, That the judiciary committee to whom was referred the resolution, to report a bill fixing the time of holding courts in the several circuits, be authorised to attach the county of Crawford, to the fourth circuit, the county of Orange to the first circuit, and the county of Jennings to the second circuit.

Mr. Sullivan of Knox moved to amend the said resolution by striking out so much thereof as contemplates the attaching of Orange county to the first circuit, which motion was decided in the negative.

The said resolution was then adopted.

Pursuant to notice Mr. Battell asked and obtained leave to introduce a bill defining the duties of sheriffs and collectors in certain cases.

The rule being dispensed with the said bill was twice read and referred to a committee of the whole on Monday next.

The House adjourned till to-morrow morning at nine o'clock.

Monday, January 1st, 1821.

The House met pursuant to adjournment.

Mr. Clark asked and obtained leave to introduce a joint resolution of the General Assembly of the state of Indiana, on the subject of the public debt, which was read—and,

Ordered, To be read a second time on to-morrow.

Mr. Ross from the joint committee for enrolled bills, reported that the enrolled bill entitled, an act for the assesment and collecting the revenue, and that the same truly enrolled.

Whereupon,

The Speaker signed the same.

On motion by Mr. Sullivan of Knox,

Resolved, That the committee on banks, and the judiciary committee be and they are hereby authorised to meet together this afternoon, for the purpose of reporting a bill calculated to bring the situation of the banks to the view of the people of the state.

On motion by Mr. Hanna,

Resolved, That the house of representatives will adjourn on Saturday the 6th instant and that the Senate be informed thereof

Ordered, That Mr. Hanna notify the Senate.

A message from the Senate by Mr. Polke,

Announcing that the Senate have passed an engrossed bill, which originated in this house, entitled an act to appoint commissioners to lay off a town on the site, located as a permanent seat of government, having amended the same by striking it out from its enacting clause, and inserting several sections in lieu thereof.

The said bill as amended was read and referred to a committee of the whole house on this day.

Mr. Chambers submitted the following resolution :

Resolved, That the judiciary committee be instructed to report a bill providing for two terms only in the year of the circuit courts in this state, which was read and rejected.

A message from the senate by Mr. Drew.

Announcing that the senate have adopted the following resolution to wit :

Resolved, That the senate adjourn on Saturday the 6th instant, *sine die*.

Mr. Tipton from the committee on that subject submitted a bill to reduce into one act, all the acts and parts of act now in force in this state regulating mills and millers, which bill was read,

Whereupon,

Mr. Hanna moved that the further consideration

thereof be indefinitely postponed, which motion was negatived.

The rule being dispensed with the said bill was read a second time and referred to a committee of the whole on to-morrow.

Mr. Sturgis from the committee to whom was referred the petition praying a new county north of Vigo county, submitted a bill for the formation of a new county north of Vigo county.

The rule being dispensed with, the said bill was twice read and referred to a committee of the whole on to-morrow.

Mr. Green from the committee to whom was referred the petition, praying a relocation of the seat of justice, for Crawford county reported that the said committee had directed him to prepare and submit a bill appointing commissioners, to relocate the seat of justice for Crawford county, which bill he handed in at the clerk's table, where, the rule being dispensed with, it was twice read and referred to a committee of the whole on to-morrow.

Pursuant to notice Mr. Clark asked for and obtained leave to introduce a bill providing a permanent fund for the encouragement of internal improvement, which bill was read and ordered to lie on the table.

Mr. Tipton from the committee appointed to draft and submit a memorial to Congress on the subject of the national road from Wheeling to St. Charles, submitted a memorial for the purpose aforesaid, which memorial was read and adopted.

Ordered, That Mr. Tipton notify the Senate and request their concurrence.

Mr. Ross submitted the following report :

That the committee who reported the bill for the erection of a state prison and for other purposes, to whom the said bill was recommitted, have amended the same pursuant to the resolution of instruction of this house.

The said bill as amended he handed in at the clerk's

table, where it was read and the amendments having been concurred in, the said bill is referred to a committee of the whole on to-morrow.

A message from the senate by *Mr. Slaughter* a member:

Announcing that the senate have passed a joint resolution for the benefit of *Harbin H. Moore* and for other purposes, in which they ask the concurrence of this house.

The said joint resolution, the rule being dispensed with) was twice read and referred to a committee of the whole on to-morrow.

On motion by *Mr. Ferris*,

Resolved, That the sergeant at arms for this house, be discharged from a further attendance.

On motion by *Mr. Milroy*,

Resolved, That the clerk and assistant clerk of this house be authorised under the direction of the Speaker, to employ such assistant clerks as may be necessary to expedite the business of the house of representatives.

On motion,

The house proceeded to consider the orders of the day.

The bill for the relief of the administrator and administratrix of *John McMurtry* dec'd. and *Tubby Bloyd*, was read a second time and ordered to be engrossed for a third reading on to-morrow.

The engrossed bill for the relief of the surviving heir of *John Smith* dec'd. was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be informed of the passage thereof, and their concurrence therein requested.

The house according to order resolved itself into a committee of the whole to consider the bill attaching part of the county of *Clarke* to *Harrison* county, *Mr. Milroy* in the chair, and after some time spent therein, the Speaker resumed the chair, and *Mr. Milroy* report-

ed that the committee of the whole, had according to order had the said bill under consideration and had made an amendment thereto, in which he asked the concurrence of the house.

Resolved, That the house concur therein,

Ordered, That the said bill be engrossed and read a third time on to-morrow.

A message from the senate by *Mr. Polke*,

Announcing that the senate have passed an engrossed bill from this house, entitled an act legalising the board of county commissioners of Vigo county, without amendment, and that the senate have concurred in the amendments made by this house, to the engrossed bill from the senate, entitled an act authorising a survey of the line between this state and the state of Illinois.

Mr. Merrell from the joint committee for enrolled bills reported that the enrolled bills entitled an act for the apportionment of Senators and Representatives in this state, and an act supplemental to an act, entitled an act supplementary to an act, fixing the seats of justice, in all new counties hereafter to be laid off, had been examined by the said committee and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

And the house adjourned till half past one o'clock.

Monday Evening, half past one o'clock.

The house met pursuant to adjournment.

A message from the Senate by *Mr. Drew*,

Announcing that the senate have passed an engrossed bill, entitled an act incorporating the Indiana Cotton Manufacturing Company at New-Albany.

The said bill was read and ordered to be read a second time on to-morrow.

The joint resolution of the General Assembly of the

state of Indiana, relative to banks, was read a second time, and referred to a committee of the whole house and made the order of the day for to morrow.

The engrossed bill amending the act reducing into one all the acts and parts of acts regulating proceedings in actions at law and suits in chancery, was read a third time, and on the question of its passage,

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Battell, Clark, Crawford, Goudie, Grass, Green, Hanna, John, Mc'Donald, Merrell, Powell, Robb, Sturgus, Sullivan of Jefferson, Swaine and Zenor—16.

Those who voted in the negative were,

Messrs. Chambers, Ewing, Ferris, Gibson, Hay, Holman, Milroy, Ross, Sullivan of Knox, Tipton, Yandes and Graham Speaker—12.

And so it was resolved that the said bill pass.

Ordered. That the same be entitled an act, and that the senate be informed of the passage thereof, and their concurrence requested therein.

The house according to order resolved itself into a committee of the whole to consider the engrossed bill (which originated in this house) entitled an act appointing commissioners to lay off a town on the site located as a permanent seat of government, as the same was amended by the senate, Mr. Battell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Battell reported, that the said committee had, according to order, had the said bill, as amended by the senate, under consideration, and had made some amendments thereto, in which he asked the concurrence of the house.

Resolved. That the house concur therein.

Further resolved. That the house concur in the amendment made by the senate to the said bill, as the same has been amended by this house.

Ordered, That the senate be informed thereof.

A message from the Senate by Mr. Gray,

Announcing that the senate have passed an engrossed bill, from this house, entitled an act giving further powers to the board of county commissioners of Dearborn county and other counties therein named, with some amendments, in which the concurrence of this house is requested.

The said amendments were read and concurred in by the house, by unanimous consent.

The bill providing for printing and distributing the laws and journals of the present session of the General Assembly, was read a second time, and referred to a committee of the whole house on to-morrow.

According to order, the house resolved itself into a committee of the whole, to consider the engrossed bill from the senate, entitled an act to provide a summary mode of collecting debts in certain cases, Mr. Sullivan of Jefferson in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Sullivan reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same by striking it out from its enacting clause, in which amendment he asked the concurrence of the house.

On the question of concurrence therein, the Ayes and Noes were demanded by two members.

Those who voted in the affirmative were,

Messrs. Battell, Chambers, Gibson, Grass, Green, Hay, John, McDonald, Milroy, Sturgus, Sullivan of Knox, Tipton, Yandes, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Clark, Crawford, Ferris, Goudie, Hanna, Holman, Merrell, Powell, Robb, Ross, Sullivan of Jefferson and Swaine.—And so it was

Resolved, That the house concur therein.

The bill to amend the act regulating the settling of testate and intestate estates and for other purposes, and

for the relief of widows, was read a second time and referred to a committee of the whole on to-morrow.

The joint resolution authorizing the treasurer of state to dispose of certain bank notes, the rule being dispensed with,) passed its second and third readings and passed.

Ordered, That the senate be notified accordingly.

Mr. Ross, from the committee for enrolled bills, reported, that the enrolled bills, entitled,

An act for the apportionment of senators and representatives within this state.

An act amendatory to the several acts now in force in this state, regulating the assessment and collection of the revenue.

An act supplemental to an act, entitled an act supplementary to an act, entitled an act fixing seats of justice in all new counties hereafter to be laid off.

An act supplemental to an act, entitled an act incorporating Madison Academy.

An act to facilitate prosecutions for perjury.

Also, a joint resolution providing for an interchange of statute laws with the several states in the union, were on this day presented to his excellency the Governor for his approbation and signature.

And the house adjourned to 7 o'clock this evening.

The house met pursuant to adjournment.

The house proceeded to consider the amendments made by the committee of the whole to the bill supplemental to an act, entitled an act subjecting real and personal estate to execution—and,

On motion,

Ordered, That the same lie on the table till to-morrow.

The house proceeded to consider the resolution which was reported by the chairman of the committee of ways and means, rejected by the committee of the whole and

last ordered to lie on the table, on the subject of an issue of treasury notes.

The said resolution having been amended so as to be in the words following, to wit:

Resolved, That the committee of ways and means prepare and report a bill to this house, providing for an issue of treasury notes to the amount of six thousand dollars, to be receivable in all payments due the state, and redeemable at the treasury, for which a sufficient portion of the revenue be pledged.

The question was put, shall the resolution be adopted? And was determined in the affirmative—Ayes 14—Noes—13.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Chambers, Ewing, Ferris, Goudie, Grass, Green, Holman, McDonald, Milroy, Powell, Swaine, Yandes and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Crawford, Gibson, Hay, Hanna, John, Merrell, Robb, Ross, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Tipton and Zenor.

The joint resolution on the subject of Clark's grant, was read a third time and passed.

Ordered, That the senate be notified accordingly.

The house, according to order, resolved itself into a committee of the whole to consider the bill to amend the act, entitled an act regulating the duties and jurisdiction of justices of the peace, approved January 28th, 1818, Mr. Hay in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Hay reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments thereto, in which he asked the concurrence of the house.

Resolved, That the house concur therein.

Ordered, That the said bill be engrossed and read a third time on to-morrow.

The house, according to order, resolved itself into a committee of the whole to consider the engrossed bill, from the senate, entitled an act amendatory to the acts for the benefit of insolvent debtors, *Mr. Merrell* in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and *Mr. Merrell* reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made two amendments thereto, in which he asked the concurrence of the house.

Resolved, That the house concur therein.

The rule being dispensed with, the said bill was read a third time, and the question on the passage thereof being put, it was determined in the affirmative.

Ordered, That the senate be notified accordingly.

The joint resolution on the subject of postage was read a second time, and referred to a committee of the whole on to-morrow.

The bill to amend the act, entitled an act regulating general elections, was read a second time and referred to a committee of the whole on to-morrow.

And the House adjourned till to-morrow morning at nine o'clock.

Tuesday, January 2d, 1821.

The house met pursuant to adjournment.

Mr. Milroy, from the committee of ways and means, reported that the said committee, pursuant to instructions, had directed him to prepare and submit a bill authorizing an issue of treasury notes.

Which bill he handed in at the clerk's table, where, the rule being dispensed with, it was twice read and referred to a committee of the whole on this day.

Mr. Merrell moved that the citizens of the town

Leavenworth, in Crawford county, have leave to withdraw their petition and proposals relative to the relocation of the county seat of said county; which motion was negatived—Ayes 11—Noes 13.

And the Ayes and Noes were demanded by two members.

Those who voted in the affirmative were.

Messrs. Chambers, Crawford, Ferris, Gibson, Hay, Hanna, John, Merrell, Ross, Swaine and Yandes.

Those who voted in the negative were.

Messrs. Ewing, Goudie, Grass, Green, Holman, Powell, Robb, Sullivan of Jefferson, Sullivan of Knox, Tipton, Zenor and Graham, Speaker.

Mr. Ross made the following report, to wit:

“That the judiciary committee had instructed him to move a reconsideration of the vote on the resolution fixing the time of holding circuit courts to two terms in the year instead of three.

Which motion he accordingly made; and the question thereon being put, it was determined in the negative.

Mr. Ross submitted the following resolution, to wit.

Resolved, That the committee on education be instructed to prepare and report a bill authorizing the trustees and agent of the state seminary to loan the money arising from the sale of lots, which has been paid in advance at the late sale of lots on the seminary township in Monroe county.

Which was read and adopted by the house.

The engrossed bill from the senate, for the relief of James Thompson, Jesse W. Knighten and David Downs, was read a third time and passed.

Ordered, that the senate be notified accordingly.

The engrossed bill from the senate, entitled an act authorizing the organization of fire companies, was read a second time and referred to a committee of the whole house on this day.

The engrossed bill from the senate, entitled an act to

repeal all acts and parts of acts prescribing the mode of changing the venue, was read a second time.

Whereupon,

On motion by Mr. Powell,

Resolved, that the further consideration thereof be indefinitely postponed.

The bill for the relief of the sheriff of Orange county, was read a second time, and the rule being dispensed with, the same was read a third time and passed.

Ordered, that the same be entitled an act, and that the senate be informed thereof and their concurrence therein requested.

The house, according to order, resolved itself into a committee of the whole, to consider the bill making appropriations for the year 1821, Mr. Zenor in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Zenor reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made sundry amendments thereto, to which they directed him to ask the concurrence of the house.

The said amendments were severally read, and,

On motion,

Resolved, that the house concur in all the said amendments except the appropriation for military expenses of five hundred dollars, and the section providing for the liquidation of the interest on the public debt.

The said amendment relative to the appropriation for military expenses was read—and,

Thereupon,

It was resolved, that the house do not concur therein.

The said amendment relative to the public debt, and which is as follows, to wit:

“*Be it further enacted*, that the Governor of this state be, and he is hereby authorized to contract with the bank of Vincennes, the state bank of Ind. and negotiate a loan for the full amount of interest on the pub-

lic debt due the said bank ;” and the striking out of the following words “ the interest on the public debt the sum of one thousand eight hundred dollars.”

A division of the question being demanded, the question on striking out the words “ the interest on the public debt one thousand eight hundred dollars,” was first put and was determined in the negative.

The question on concurrence, in the amendment made, by inserting the aforesaid section, authorising the Governor to negotiate for a loan, for the full amount of the interest due on the public debt, was then put and was determined in the affirmative—ayes 14—noes 12.

And the ayes and noes being demanded by two members,

Messrs. Clark, Chambers, Crawford, Ewing, Gibson, Grass, Greene, Holman, Merrell, Milroy, Powell, Sullivan of Jefferson, Swaine, and Yandes, voted in the affirmative. /4

Those who voted in the negative were,

Messrs. Ferris, Gendie, Hay Hanna, John, McDonald, Robb, Ross, Sullivan of Knox, Tipton Zenor and Graham, Speaker. H 12

Mr. Ferris moved to amend the said bill, by striking out the words “ the full amount of the public debt,” and inserting in lieu thereof, the words “ one thousand eight hundred dollars,” which motion was determined in the affirmative.

The bill was further amended by unanimous consent by inserting immediately after the last mentioned amendment the words, “ upon terms stipulated by the charter of said bank.”

Ordered, That the bill as amended be engrossed and read a third time on to-morrow.

The house resumed the consideration of the bill to repeal the fourth section of an act, to amend an act, to regulate marriages and for other purposes, approved January 8, 1820, and for other purposes, and

Thereupon,

Resolved, That the committee of the whole to whom the said bill was referred, be discharged from the further consideration thereof.

The said bill having been amended in some respects, by unanimous consent was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be informed thereof, and their concurrence therein requested,

And the house adjourned to one o'clock.

The house met pursuant to adjournment.

The bill for the formation of a new county out of the counties of Wabash and Delaware, was read a second time and referred to a committee of the whole house, and made the order of the day for this day.

The house resumed the consideration of the amendments made by the committee of the whole, to the bill supplementary to an act entitled an act subjecting real and personal estate to execution, and the said amendment having been read at the clerk's table it was resolved to concur therein.

Mr. Robb moved to amend the said bill by adding the following proviso :

“ Provided however, that from and after the taking effect of this act, no stay of execution shall be allowed upon such judgments as are or shall hereafter be obtained upon any bank note, bill of exchange, promissory note, or other paper of any description the amount whereof is expressed in print or engraved letters.”

Which amendment was rejected—ayes 13—noes 13. And the ayes and noes being demanded by two members,

Those who voted in the affirmative were,
messrs. Battell, Clark, Chambers, Gibson, Goudie, Grass, Green, Hanna, Merrell, Milroy, Robb, Swaine, and Graham Speaker.

Those who voted in the negative were,

Messrs. Crawford, Ewing, Ferris, Hay, Holman

John, McDonald, Powell, Ross, Sullivan of Jefferson, Tipton, Yandes and Zenor.

Mr. Powell moved so to amend the said bill as to give a stay of twelve months upon sums between twenty five and one hundred dollars; which amendment was adopted—ayes 14—noes 13.

And the ayes and noes being demanded by two members, those who voted in the affirmative were;

Messrs. Crawford, Ewing, Ferris, Gibson, Grass, Holman, John, McDonald, Powell, Robb, Sullivan of Knox, Swaine, Yandes and Zenor.

Those who voted in the negative were;

Messrs. Battell, Chambers, Clark, Gondie, Green, Hay, Hanna, Merrell, Milroy, Ross, Sullivan of Jefferson, Tipton and Graham Speaker.

Mr. Ferris moved to amend the said bill so as to add three months to the several terms for which the same may be replevied throughout the bill; which amendment was adopted—ayes 15—noes 12.

And the ayes and noes being demanded by two members, those who voted in the affirmative were,

Messrs. Crawford, Ewing, Ferris, Gibson, Grass, Holman, John, McDonald, Merrell, Powell, Ross, Sullivan of Knox, Swaine, Yandes and Zenor.

Those who voted in the negative were,

Messrs. Battell, Clark, Chambers, Gondie, Green, Hay, Hanna, Milroy, Robb, Sullivan of Jefferson, Tipton and Graham Speaker.

Mr. Merrell moved to amend the said bill by adding the following proviso.

“ And provided also, where the real property of a security in a replevy bond, has been taken on execution issuing on such replevy bond, or that of the original defendant, where the judgment on which the execution issued, has never been replevied, it shall be lawful for such person having real property taken as above, to require of the officer taking the same to have the property

valued by five freeholders to be impannelled and sworn by such officer, and if the said real property when exposed to sale, will not produce one half its appraised value, the officer shall make return thereof, and after the expiration of nine months, till which time there shall be a stay of execution, a new execution shall issue: on which the property shall be sold for what it will bring: provided, that mortgaged premises taken on execution, which has issued on a judgment obtained on such mortgage, and all executions issued on judgments against constables, justices of the peace, coroners, sheriffs, clerks of courts, county treasurers, collectors, trustees of public seminaries, or attornies, for money collected by them, shall not be affected by the provisions of this section.

Which amendment was adopted—ayes 17—noes 10.

And the ayes and noes being demanded by two members, those who voted in the affirmative were,

Messrs. Clark, Crawford, Ewing, Ferris, Gibson, Grass, Green, Holman, John, McDonald, Merrell, Robb, Ross, Sullivan of Knox, Swaine Tipton & Yandes.

Those who voted in the negative were,

messrs. Battell, Chambers, Goudie, Hay, Hanna, Milroy, Powell, Sullivan of Jefferson, Zenor and Graham, Speaker.

On motion by Mr. Battell,

The bill was amended by adding the following as an eighth section to-wit:

On all judgments which may be rendered, or contracts entered into after the first of September next, there shall be no replevy, any thing in this act to the contrary notwithstanding.

Ordered. That the said amendments be engrossed & that the said bill be read a third time to-day.

A message from the Senate by Mr. Drew,

Announcing that the senate have concurred in the first amendment made to the bill appointing commissioners,

to lay off a town on the site selected as a permanent seat of government, as the said bill was amended by the senate, and that they refuse to concur in the second amendment.

On motion,

Resolved, That the house insist on said amendment.

Ordered, That the senate be notified accordingly.

A message from the Senate by *Mr. Harrison*,

Announcing that the senate have passed a memorial to Congress, on the subject of the national road from Wheeling to St. Charles, with an amendment, in which the concurrence of this house is requested, and that that body has passed an engrossed joint resolution on the subject of the three per cent fund, in which the concurrence of this house is also requested.

The amendment made by the senate to the said memorial was read and concurred in by the house.

Ordered, That the senate be notified accordingly.

The said joint resolution last reported from the senate was read and ordered to be read a second time on tomorrow.

The engrossed bill subjecting bank notes refused to be redeemed with specie on demand to interest was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof and their concurrence therein requested.

The engrossed bill for the relief of the administrators of John McMurtry deceased, and Tubby Bloyd, was read a third time and passed.

Ordered, That the same be entitled an act and that the senate be notified accordingly, and their concurrence therein requested.

On motion,

The consideration of the orders of the day is postponed for the present.

Mr Tipton made the following report to-wit :

The committee of free conference as well on the part

of the senate, as of the house of representatives to whom was referred the subject matter of difference, existing between the two houses on an amendment made by the senate, to an engrossed bill which originated in the house of representatives, for the formation of a new county out of the counties of Jackson and Delaware, have had the same under consideration, and have agreed to report the bill as it originally passed the house of representatives, so far as it relates to the boundaries of said new county, and that so much of Delaware county as lies between the counties of Bartholomew and Monroe, shall be temporarily attached to said new county of Bartholomew, but is not to be taken into consideration, by the commissioners appointed to fix the seat of justice of said new county; and have agreed to amend said bill in the 17th line of the second section, by inserting after the word 'and' the following, "after taking an oath faithfully and impartially to discharge their duty as such, which said oath one of said commissioners shall administer to the others, and one of those sworn, to him; which report having been read it was,

Resolved, That the house concur therein.

A message from the senate by Mr. Harrison,

Announcing that the senate have concurred in the report of the committee of free conference, to whom was referred the disagreement between the two houses, relative to the amendment made by this house to the bill for the formation of a new county out of the counties of Jackson and Delaware.

A message from the senate,

Announcing that the senate have passed an engrossed bill entitled an act for the relief of the surviving heir of John Smith deceased, which originated in this house with an amendment, in which the concurrence of the house is requested.

The said amendment was read and by unanimous consent, concurred in by the house.

A message from the Governor by Mr. Lilly,

Announcing that his Excellency did on this day approve and sign the enrolled bills entitled,

An act supplemental to an act entitled an act to incorporate Madison Academy, approved January 11, 1820.

An act amendatory to the several acts, regulating the assessment and collection of the revenue in this state.

An act to facilitate prosecutions for perjury.

An act for the benefit of John De Pauw ; also,

A joint resolution providing for an interchange of statute laws with the several states in the Union.

The house according to order resolved itself into a committee of the whole to consider the bill, authorising an issue of treasury notes, Mr. Ferris in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Ferris reported that the committee of the whole had according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith ask leave to sit again.

Leave to sit again is granted.

And the house adjourned till half past 6 o'clock this evening.

Tuesday Evening, January 2d, 1821.

The House met pursuant to adjournment.

The engrossed bill attaching part of the county of Clark to the county of Floyd, was read a third time and passed

Ordered. That the same be entitled an act, and that the senate be informed of the passage thereof, and their concurrence therein be requested.

The house according to order resolved itself into a committee of the whole to consider the engrossed bill from the senate, entitled an act to authorize the organization of fire companies, Mr. Merrell in the chair, and after some time spent in the consideration thereof, the

Speaker resumed the chair, and Mr. Merrell reported, that the committee of the whole had, according to order, had the said bill under consideration, and having made no amendment thereto, had directed him to report the same to the house.

The said bill was, by unanimous consent, read a third time and passed.

Ordered, That the senate be notified accordingly.

The house, according to order, again resolved itself into a committee of the whole to consider the bill authorizing the issuing of treasury notes. Mr. John in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. John reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, desired leave to sit again.

Leave not being granted :

Ordered, that the same be referred to a select committee to consider and amend the same.

And Messrs. Milroy, Clark and Ferris are appointed that committee.

The house resumed the consideration of the engrossed bill from the senate, entitled an act supplementary to an act subjecting real and personal estate to execution.

Whereupon—On motion,

The same is recommitted to a committee of the whole house and made the order of the day for this evening.

The house, according to order, resolved itself into a committee of the whole to consider the said last mentioned bill, Mr. Hay in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair and Mr. Hay reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, desired leave to sit again.

Accordingly leave to sit again is granted.

Ordered, That fifty copies of the said bill be printed for the use of the members of this house.

The bill appointing commissioners to select a site for the seat of justice for Scott county, was read a second time and referred to a committee of the whole house on to-morrow.

The house, according to order, resolved itself into a committee of the whole to consider the joint resolution from the senate, for the benefit of Harbin H. Moore, and for other purposes, Mr. Milroy in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Milroy reported that the committee of the whole had, according to order, had the said resolution under consideration, and having made one amendment thereto, had directed him to desire the concurrence of the house therein.

Resolved. That the house concur therein.

The said resolution was read a third time, the rule being dispensed with, and on the question of its adoption,

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Battell, Chambers, Crawford, Ewing, Grass. Hay, John, McDonald, Merrell, Sturgus, Sullivan of Knox, Sullivan of Jefferson, Tipton, Yandes and Zenor—15.

Those who voted in the negative were,

Messrs. Clark, Ferris, Gibson, Goudie, Green, Hanna, Holman, Milroy, Powell, Robb, Swaine and Graham, Speaker—12.

And so the said resolution passed.

Ordered, That the senate be notified accordingly, and their concurrence in the amendment made thereto by this house requested.

And the House adjourned till to-morrow morning at nine o'clock.

Wednesday Morning, January 3d, 1831.

The house met pursuant to adjournment.

The Speaker submitted to the house a communication from W. C. Whittlesey, trustee of the public seminary for Sullivan county. from which it appears that on Dec. 1st. 1820, he had under his control one hundred and sixty one dollars and sixty cents for the use of said seminary.

Mr. Ross, from the judiciary committee, reported that the said committee had, pursuant to a resolution of instruction, directed him to prepare and submit a bill to amend an act, entitled an act to reduce into one act all the acts and parts of acts relative to crimes and punishments.

Which bill he handed in at the clerk's table, where (the rule being dispensed with) the same was twice read and ordered to be engrossed and read a third time tomorrow.

Mr. Milroy, from the select committee to whom was referred the bill authorizing the issuing of treasury notes, reported that the said committee had, pursuant to instructions, had the same under consideration, and having made some amendments thereto, had directed him to submit the same to the house.

The said bill, as amended, was read at the clerk's table.

Whereupon,

It was resolved, That the house concur in the amendments made by the select committee thereto.

A message from the Senate by Mr. Harrison, Announcing that the Senate have adopted the following resolution, to wit :

Resolved by the Senate, That it is inexpedient to issue treasury notes to meet the demands against the state, and that in support of the public credit it is necessary and expedient to resort to a loan for the sum of

seven thousand dollars, at an interest not exceeding six per cent per annum; and that in the event of said loan not being obtained, all warrants drawn by the auditor of public accounts to bear an interest of six per cent per annum from their respective dates until taken up by the treasurer of state, or until public notice be given by the treasurer, that sufficient funds are in the treasury for the redemption of said warrants; and that the House of Representatives be informed thereof.

The said motion having been read, Mr. Hay submitted the following resolution:

Resolved, That the clerk of this house return the said resolution to the senate, as embracing subjects which can constitutionally originate in the house of representatives only.

Which resolution was read and adopted—Ayes 18. Noes 10.

And the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Ferris, Grass, Greene, Hay, Holman, John, Merrell, Milroy, Powell, Robb, Sturgus, Sullivan of Knox, Sullivan of Jefferson, Swaine, Tipton Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Ewing, Gibson, Goudie, Hanna, McDonald, Ross and Yandes.

On motion by Mr. Milroy,

The bill authorizing the issuing of treasury notes is referred to a committee of the whole on this day.

A message from the Senate,

Announcing that the senate insist on their objections to the second amendment made by this house to the bill appointing commissioners to lay off a town at the permanent seat of government.

On motion by Mr. Ross,

Resolved, That a committee of free conference be appointed on the part of this house, to confer with a

similar committee, which may be appointed on the part of the senate, to take into consideration the difference between the two houses, relative to the said second amendment made by this house to the said last mentioned bill.

Whereupon,

Messrs. Ross, Sullivan of Jefferson and Merrell are appointed managers on the part of this house.

Ordered, That Mr. Ross inform the senate, and request the appointment of managers on their part.

A message from the Senate by Mr. Slaughter,

Announcing that the Senate have concurred in the amendment made by this house to the joint resolution for the benefit of Harbin H. Moore and for other purposes.

Mr. Wilroy, from the committee of ways and means, submitted a bill making specific appropriations.

Which bill having been read, is referred to a committee of the whole on this day.

Mr. Holman asked for and obtained leave to submit a communication from the securities of John Turner, former sheriff of Wayne county; which was read at the clerk's table, and referred to a select committee composed of Messrs. Holman, Ferris and Clark, with instruction to report a bill for the relief of the said securities.

Mr. Sturgus asked for and obtained leave to submit the petition of sundry citizens of Vigo county, praying that Lambert Dickson and Co. be authorized to dig a canal therein described.

Which having been read, is referred to a committee composed of Messrs. Sturgus, McDonald and Powell, to consider and report thereon.

On motion,

The house proceeded to consider the orders of the day.

The bill providing for the erection of a house for the benefit and employment of the poor of Knox county, was read a second time, and,

Ordered, To be engrossed and read a third time on to-morrow.

The bill to repeal an act to vacate part of the town of Lanesville, was read a second time and referred to a committee of the whole on this day.

The bill to attach a part of Dubois county to the county of Martin, was read—and,

Thereupon,

On motion by Mr. Robb,

Resolved, That the further consideration thereof be indefinitely postponed.

The bill for the relief of certain lessees in Monroe county, was read a second time and referred to a committee of the whole on this day.

The bill to vacate the town of Sprinkleburgh, (the rule being dispensed with,) was twice read and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof and their concurrence therein be requested.

The engrossed bill (from the Senate,) entitled an act to provide for arrest in certain cases, was read the second time, and is referred to a committee of the whole on this day.

The engrossed bill (from the Senate) entitled an act to repeal part of an act regulating the inspection of flour, beef and pork. (the rule being dispensed with) was twice read and passed.

Ordered, That the senate be notified accordingly.

The engrossed bill (from the Senate) entitled an act to attach part of the new purchase to Monroe county and for other purposes, was read a second time and referred to a committee of the whole on this day.

The bill to prevent injury by dogs, was read a second time, and is referred to a committee of the whole on this day.

A message from the Senate by Mr. Bartholomew, Announcing that the senate have adopted a joint res.

olution relative to Clark's grant, which originated in this house, with an amendment, in which the concurrence of this house is requested.

The said amendment was read and concurred in by unanimous consent.

The house proceeded to consider the bill authorizing the collection of debts in a summary way in certain cases, last ordered to lie on the table—and,

On motion,

The same is referred to a committee of the whole, and made the order of the day for this day.

According to order, the house, resolved itself into a committee of the whole, to consider the last mentioned bill, Mr. Crawford in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Crawford reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made one amendment thereto, in which he asked the concurrence of the house.

The said amendment having been read,

Resolved, That the house concur therein.

Mr. Robb moved to amend the said bill by adding the following as an additional section :

That any person or persons, who is the holder or holders of any bank notes or other notes, resembling bank notes, which are usually passed from individual to individual, by delivery only, shall be entitled to a like summary mode of collection against the bank, banking company, corporation, individual or company, which have issued such notes.

Which motion was negatived—ayes 13—noes 15.

And the ayes and noes being demanded by two members, those who voted in the affirmative were,

Messrs. Clark, Ferris, Goudie, Hanna, McDonald, Milroy, Robb, Ross, Sullivan of Knox, Swaine, Yandes, Zenor and Graham Speaker.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Ewing, Gibson, Grass, Green, Hay, Holman, John, Merrell, Powell, Sturgis, Sullivan of Jefferson and Tipton.

On motion by Mr. Robb.

The said bill was amended by adding the following as an additional section.

That the holder or holders of any bill of exchange, or other paper, (other than the notes of chartered banks the amount whereof is expressed either in print or engraved letters, which usually pass from individual to individual by delivery only, shall be entitled to like summary mode of collection, against the bank, banking company, individual or company, which have drawn or issued the same.

Ordered, That the said amendment be engrossed and that the bill be read a third time to-day.

Mr. Ross from the committee for enrolled bills reported that the said committee had examined and compared, the enrolled bill entitled an act for the relief of James Thompson, Jesse W. Knighten and David Downs, and that the same is truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

A message from the senate by their assistant secretary Mr. Dunbar,

Announcing that his Excellency the Governor, communicated to the senate by Mr. Lilly, that he has approved and signed the enrolled bills, which originated in the senate, during the present session of the General Assembly, entitled as follows to wit :

An act divorcing Ephraim Dukes from his wife Martha Dukes.

An act establishing a permanent seat of Justice for the county of Wayne and for other purposes.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

On motion,

The further consideration of the orders of the day is postponed for the present.

Mr. Holman from the committee to whom was referred the communication of the sureties of John Turner, former sheriff of Wayne county, pursuant to instructions submitted a bill for the relief of Thomas McCartney, David Herman and Peter Weaver; which bill, the rule being dispensed with, was twice read and,

Ordered, To be engrossed and read a third time on to-morrow.

A message from the senate by Mr. Harrison,

Announcing that the senate have passed an engrossed bill from this house, entitled an act for the relief of the administrators of John McMurtry dec'd. and Tubby Bloyd, without amendment.

A message from the senate by Mr. Drew,

Announcing that the senate have appointed Messrs. Drew, Cotton and Beard, managers on their part to confer with managers, heretofore appointed on the part of this house, upon the disagreement between the two houses relative to the bill appointing commissioners to lay off a town on the site selected as a permanent seat of government.

The house, according to order, resolved itself into a committee of the whole to consider the engrossed bill from the senate, entitled an act for the formation of a new county out of the counties of Wabash & Delaware, Mr. Clark in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Clark reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, had directed him to ask leave to sit again.

Leave not being granted—

On motion by Mr. Ferris,

The said bill is referred to a select committee, with

instructions so to amend the same as to place all the counties therein named, on an equal footing—and,

Messrs. Ferris Ross, McDonald and Powell are appointed that committee.

On motion,

The said committee are further instructed to draft and report a memorial to Congress praying a donation of a quarter section of land in each county as a seat of justice.

A message from the senate by Mr. Dunbar their assistant secretary ;

Announcing that the senate have passed an engrossed bill, entitled an act to amend the act entitled an act authorising the citizens of towns to vacate said towns, or any part thereof and for other purposes, in which they ask the concurrence of this house.

The said bill was read and ordered to be read a second time on to morrow.

A message from the senate by their assistant secretary, Mr. Dunbar :

Announcing that his Excellency the Governor, has communicated to the senate by William H. Lilly Esquire, his private secretary, that the act for the relief of George White upon the subject of a ferry has been deposited in the office of secretary of state, and it not having been returned within the time prescribed by the constitution it has necessarily become a law.

Mr. Ross from the committee for enrolled bills reported that the said committee had examined and compared the enrolled bills entitled, an act for the benefit of the surviving heirs of John Smith deceased ; an act amendatory to the act for the relief of insolvent debtors, approved January 20th, 1820 ; an act for the relief of persons owning property in the town of Corydon ; an act for the formation of a new county out of the counties of Sullivan and Daviess ; an act giving further powers to the board of county commissioners of Dearborn county and other counties therein named ; an act for the relief of James K. Scott and others ; and an act

for the formation of a new county out of the counties of Wayne, Franklin and Fayette and to enlarge the county of Wayne: also, a memorial of the Senate and house of representatives of the state of Indiana, to Congress on the subject of public lands, and that the same are truly enrolled.

Whereupon—The Speaker signed the same.

Ordered, That the senate be notified accordingly.

The house according to order resolved into a committee of the whole to consider the engrossed bill, from the senate, entitled an act to provide for the printing and distributing of the laws and journals of the present General Assembly, Mr. Green in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Green reported that the committee of the whole, had according to order, had the said bill under consideration, and had amended the same by adding an additional section, authorising the printing of the acts of incorporation of the bank of Vincennes, the state bank of Indiana, and the Farmers and Mechanics bank at Madison, in which amendment he asked the concurrence of the house.

The said amendment having been read, it was

Resolved, That the house concur therein.

The bill having been further amended so as to authorise the printing of an act amendatory to the act incorporating the Farmers and Mechanics' bank at Madison.

Ordered, That the same pass to a third reading on to-morrow.

The engrossed bill making general appropriations for the year 1821, was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof, and their concurrence therein be requested.

Mr. Sullivan of Knox, gave notice that he will on to-morrow, ask for leave to bring in a bill to prevent the banks of the state of Indiana, from issuing more paper

and to give their creditors a speedy remedy, against them, and to detect frauds in closing their concerns.

The house, according to order, resolved itself into a committee of the whole to consider the bill for the relief of the heirs of Thomas Berry deceased, and William S. Branham, Mr. Sullivan of Jefferson in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Sullivan reported that the committee of the whole had, according to order, had the said bill under consideration, and had made sundry amendments thereto, in which he asked the concurrence of the house.

The said amendments having been read—

Resolved, That the house concur therein.

Ordered, That the same be engrossed and read a third time on to-morrow.

And the House adjourned till to-morrow morning at nine o'clock.

Thursday Morning, January 4th, 1821.

The house met pursuant to adjournment.

The Speaker submitted a communication from James Faris trustee of the public seminary, for Dubois county, from which it appears that he has in his hands for seminary purposes sixty four dollars.

The Speaker also submitted a communication from Jesse Emerson, superintendant of the seminary township in Gibson county, from which it appears that he has obtained a judgment against an occupant of the lands of said township, for ninety dollars and thirty seven and one half cents ; that another suit is in progress for the occupancy of the same, and that he has rented one farm on the said tract for the ensuing year.

Mr. Robb submitted the petition of Samuel Hall and others praying relief for an occupant of the seminary township in Gibson county, which having been read is

referred to a select committee composed of Messrs. Robb, Battell and Sullivan of Knox to consider and report thereon by bill or otherwise.

Pursuant to notice Mr. Sullivan of Knox introduced a bill to prevent the banks of this state from issuing more paper, to give their creditors a speedy remedy and to detect fraud in closing their concerns; which bill having been read—

Mr. Tipton moved that the further consideration thereof be indefinitely postponed.

And the question on that motion being put, it was determined in the affirmative—ayes 14—noes 13.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were, messrs. Battell, Chambers, Crawford, Ewing, Ferris, Gibson, Hay, Holman, Merrell, Milroy, Ross, Sullivan of Jefferson, Swaine, and Tipton.

Those who voted in the negative were,

Messrs. Clark, Goudie, Green, Hanna, John, McDonald, Powell, Robb, Sturgus, Sullivan of Knox, Yandes Zenor, and Graham, Speaker.

Mr. Ross from the committee to whom was referred the bill repealing the charters of such banks as refuse to redeem their notes with specie, reported that the said committee had according to order had the said bill under consideration, and having made an amendment thereto had directed him to report the same to the house.

The said bill is referred to a committee of the whole house on this day.

Mr. Ross from the committee for enrolled bills, reported that the committee had examined and compared the enrolled bills entitled,

An act to repeal part of an act entitled an act, regulating the inspection of flour, beef and pork.

An act authorising the establishment of fire companies, and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

A message from the senate by Mr. Bartholomew,

Announcing that the senate have passed the engrossed bill, from this house, entitled an act attaching part of the county of Clark to the county of Floyd, without amendment.

A message from the Senate by Mr. Daniel,

Announcing that the senate have passed an engrossed bill, from this house, entitled an act to repeal the fourth section of an act entitled an act to amend an act, entitled an act, to regulate marriages and for other purposes, approved January 3, 1820, without amendment.

Mr. Robb from the committee to whom to day, was referred the petition, praying relief for an occupant of the seminary township in Gibson county, submitted a bill for the relief of Henry Ayres; which bill, the rule being dispensed with, was twice read and ordered to be engrossed and read a third time on to-morrow.

Pursuant to notice Mr. Chambers introduced a bill to authorise a called session of the circuit courts for the purposes therein named; which bill, the rule being dispensed with, was twice read & referred to a committee of the whole house on to-morrow.

Mr. Hay submitted the following resolutions:

1st. *Resolved*, That it is inexpedient that the revenue of this state, hereafter to be assessed should be collected in specie or its equivalent.

2nd. *Resolved*, That it is inexpedient to adopt any legislative measure, in relation to the chartered banks of this state, except upon charges of corruption on the part of such institutions or for enquiry into their situation, unless the revenue hereafter to be assessed be collected in specie or its equivalent.

Which resolutions having been read,

Ordered, That the same lie on the table for the present.

Mr. Ross submitted the following report :

Mr. SPEAKER—The managers on the part of this house, appointed to confer with those appointed on the part of the senate, as a committee of free conference on the subject matter of difference between the two houses, on the amendment made by the House of Representatives, to the amendment made by the Senate to the bill from the House of Representatives, appointing commissioners to lay off a town on the site located as a permanent seat of government—Report :

That the said committee have had the same under consideration, and have agreed that the said amendment of the House of Representatives shall be amended by striking out the following words, “until the same be completed,” and that the senate shall recede from their objections to the said amendment when so amended.

Which report having been read, it was,

Resolved, That the house concur therein.

On motion,

The House proceeded to consider the orders of the day.

Whereupon,

The house, according to leave, again resolved itself into a committee of the whole to consider the bill, supplementary to an act, entitled an act subjecting real and personal estate to execution, approved January 7th, 1818, Mr. Gibson in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, & Mr. G. reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go t'rough therewith, had directed him to ask leave to sit again.

Leave to sit again is granted accordingly.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

Mr. Ross, from the committee for enrolled bills, reported, that the said committee had examined and compared the enrolled bill, entitled an act to amend an act, entitled an act to license and regulate taverns, and that the same is truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

A message from the senate by Mr. Drew.

Announcing that the senate have concurred in the report of the committee of free conference on the subject of difference between the two houses, relative to the amendment made by the House of Representatives to the amendment made by the Senate, to the bill from the House of Representatives, appointing commissioners to lay off a town on the site located as a permanent seat of government—Further,

That the senate have passed a joint resolution for the relief of Elijah Fisher, late sheriff of Wayne county, in which they desire the concurrence of the house.

According to order, the house resolved itself into a committee of the whole to consider the engrossed bill from the senate, entitled an act supplementary to an act subjecting real and personal estate to execution, approved January 7th, 1818. Mr. Gibson again in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Gibson reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments thereto, in which he asked the concurrence of the house.

The said amendments were read—and,

On motion,

Resolved, That the house concur in all the amendments, except the amendment made by striking out a

part of the first section, and inserting in lieu thereof the following, to wit :

“That no property shall be sold for less than one half of its real value, by virtue of any execution on a judgment which has heretofore been or may hereafter be rendered, and which has not been replevied under this act; which value shall be ascertained by the inquest who may be called to enquire whether such real property will rent in seven years for a sufficient sum to pay or discharge such execution : and the sheriff or other officer who may offer such real property for sale, if it will not bring one half its appraised value, shall return such execution with his proceedings thereon : *provided however*, that it shall be lawful for the plaintiff in the execution to accept the said real property after it has been offered for sale, in discharge of said execution at one half the estimated value aforesaid, and the sheriff or other officer is hereby directed to make a deed therefor.

Upon the question of concurrence in said last mentioned amendment,

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Crawford, Ewing, Ferris, Gibson, Goudie, Grass, Hanna, Holman, John, Merrell, Powell, Ross, Sturgus, Sullivan of Jefferson, Swaine, Tipton, Yandes and Zenor—18.

Those who voted in the negative were,

Messrs. Battell, Chambers, Clark, Green, Hay, McDonald, Milroy, Robb and Graham Speaker—9.

And so the amendment was concurred in.

Mr Milroy moved to amend the first section of said bill by striking out the words ‘from the date of said bond,’ in the seventh line, and by inserting immediately after the words ‘within twelve months,’ the words ‘from the date of the judgment.’

Which motion was determined in the negative—Ayes 13—Noes 15.

And the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Battell, Chambers, Clark, Crawford, Green, Hay, McDonald, Milroy, Robb, Ross, Sullivan of Jefferson, Tipton and Graham, Speaker.

Those who voted in the negative were,

Messrs. Ewing, Ferris, Gibson, Goudie, Grass, Hanna, Holman, John, Merrell, Powell, Sturgus, Sullivan of Knox, Swaine, Yandes and Zenor.

Mr. Swaine moved to amend the said bill by inserting between the word 'estate' and the word 'under,' in the line before the first proviso, in the first section, the following, to wit :

"On a credit equal to the time which such property might have been replevied, by tendering bond as aforesaid, conditioned that the purchaser of said property shall give bond with sufficient security to the sheriff or other officer selling the same ; and in case the money shall not be paid at the expiration of the said credit, execution shall immediately be issued and levied on the property of such purchaser and his security, on which there shall be no stay of execution."

The question on which motion being put, it was negatived.

On motion by Mr. Robb,

The said bill was further amended by adding immediately at the end of the ninth section the following :

"Or for money due upon notes which shall have been issued by them as a banking company or as bankers."

Mr. Milroy moved that the further consideration of said bill be indefinitely postponed.

Which motion was negatived—Ayes 9—Noes 19.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Battell, Chambers, Goudie, Green, McDonald, Milroy, Tipton, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Clark, Crawford, Ewing, Ferris, Gibson, Grass, Hay, Hanna, Holman, John. Merrell, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Swaine and Yandes.

The question was then put, shall this bill pass?—And was determined in the affirmative—Ayes 18—Noes 10.

And the ayes and noes being demanded by Messrs. Milroy and Chambers.

Those who voted in the affirmative were,

Messrs. Clark, Crawford, Ewing, Ferris, Gibson, Grass, Hay, Hanna, Holman, John, Merrell. Powell, Robb, Ross, Sturgus, Sullivan of Jefferson, Swaine and Yandes.

Those who voted in the negative were,

Messrs. Battell, Chambers, Goudie, Greene, McDonald, Milroy, Sullivan of Knox, Tipton Zenor and Graham, Speaker.

And so the said bill passed.

Ordered, that the senate be notified accordingly.

The Speaker laid before the house a communication from Thomas Bentley, a citizen of Washington county, containing a charge against Aaron Vandever and William Rayel, two of the justices of the peace for said county.

Which having been read, was referred to a select committee, composed of Messrs. Clark, Chambers and Ross, with instructions to examine him, the said Thomas Bentley, and make report to the house.

The house, according to order, resolved itself into a committee of the whole to consider the joint resolution on the subject of postage, Mr. Powell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair and Mr. Powell reported, that the committee of the whole had, according to

order, had the said resolution under consideration, and had made one amendment thereto, in which the concurrence of the house is desired.

The said amendment having been read—it was

Resolved, That the house concur therein.

Ordered, That the said resolution be engrossed and read a third time to-day.

The house according to order resolved itself into a committee of the whole to consider the bill authorizing the issuing of treasury notes, Mr. Robb in the chair, and after some time spent in the consideration thereof the Speaker resumed the chair, and Mr. Robb reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments thereto, in which the concurrence of the house is desired:

The said amendments being read,

Resolved, That the house concur therein.

Ordered, that the same be engrossed and read a third time to-day.

Mr. Ross, from the committee for enrolled bills, reported that the said committee did on this day present to his Excellency the Governor, for his approval and signature the enrolled bills, entitled as follows :

An act for the relief of persons owning property in Corydon.

An act authorizing the establishment of fire companies.

An act to repeal part of an act, entitled an act regulating the inspection of flour, beef and pork.

An act for the relief of James K. Scott and others.

An act for the benefit of the surviving heirs of John Smith deceased.

An act for the formation of a new county out of the counties of Sullivan and Daviess.

An act for the formation of a new county out of the counties of Wayne, Franklin and Fayette and to enlarge the county of Wayne.

An act for the relief of James Thompson, Jesse W. Knighten and David Downs.

An act amendatory to the act for the relief of insolvent debtors.

And an act giving further powers to the board of county commissioners of Dearborn county and other counties therein named.

The house adjourned to 7 o'clock.

Evening, seven o'clock.

The House met pursuant to adjournment.

The engrossed joint resolution, (this day received from the senate) for the relief of Elijah Fisher, late sheriff of Wayne county, (the rule being dispensed with) was twice read—and,

Ordered, To be read a third time to-morrow.

The joint resolution on the subject of postage having been engrossed, was read a third time and adopted.

Ordered, That the senate be notified accordingly.

The engrossed bill to amend an act, entitled an act regulating the duties and jurisdiction of justices of the peace, approved January 28th, 1818, was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof, and their concurrence therein requested.

The engrossed bill for the relief of Thomas McCartney, David Harman and Peter Weaver was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof and their concurrence therein requested.

The house resumed the consideration of the bill authorizing the erection of a house for the employment and support of the poor of Knox county, (the same having been engrossed,)

Whereupon,

The said bill was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof and their concurrence therein requested.

The house according to order resolved into a committee of the whole to consider the joint resolution authorizing the treasurer of state to dispose of certain bank notes therein named, Mr. Sullivan of Knox in the chair, and after some time spent therein, the Speaker resumed the chair, and Mr. Sullivan reported that the committee of the whole, had according to order, had the said resolution under consideration, and had made some amendments thereto, in which he desired the concurrence of the house.

The said amendments having been read,

Resolved, That the house concur therein.

Ordered, That the said resolution be engrossed and read a third time to morrow.

A message from the Senate by Mr. Bartholomew,

Announcing that the senate have passed an engrossed bill from this house, entitled an act subjecting bank notes refused to be redeemed with specie, on demand, to interest, with an amendment, in which the concurrence of this house is desired.

The said amendment having been read, was unanimously concurred in by the house.

A message from the senate by Mr. Drew,

Announcing that the senate have concurred in the first, fourth, fifth, sixth, seventh, eighth and eleventh amendments made by this house, to the engrossed bill (from the senate) entitled an act supplementary to an act subjecting real and personal estate to execution; and that they have also concurred in the third amendment thereto with an amendment, in which the concurrence of this house is desired—that they have concurred in the ninth amendment with an amendment, in which the concurrence of this house is also desired—and that in

the tenth, twelfth and thirteenth amendments the senate have refused to concur.

The amendments made by the senate to the third and ninth amendments adopted by this house were read and by consent agreed to by this house.

The second amendment made by this house to the said bill and to which the senate disagreed, and which contemplated a replevy of nine months on sums of twenty-five dollars and upwards, and a stay of six months on sums less than twenty-five dollars, was read—and,

Thereupon,

Resolved, That the house recede therefrom.

The tenth amendment adopted by this house and disagreed to by the senate, and which is a provision added as a tenth section to the bill, that there shall be no stay of execution on judgments obtained on contracts made after the first of September next was read, and,

Thereupon,

Resolved, That the house recede therefrom.

The twelfth amendment adopted by this house, and to which the senate disagreed, and which was the striking out in the ninth section the word 'chartered,' was considered—and,

Thereupon,

It was resolved, That the house recede therefrom—
Ayes 28—Noes 5.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Battell, Clark, Crawford, Ferris, Gibson, Goudie, Grass, Green, Ray, Hanna, Holman, John, McDonald, Merrell, Milroy, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson, Swaine, Tipton, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Chambers, Ewing, McDonald, Sullivan of Knox, and Yandes.

The thirteenth amendment made by this house to the

said bill, and to which the senate disagreed, and which was the inserting at the end of the ninth section the following:

“Or for money due upon notes which have been issued by them as a banking company or bankers,” was read,

Whereupon,

Resolved, That the house recede therefrom—Ayes 17—Noes 11.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Crawford, Ewing, Ferris, Gibson, Grass, Hay, Holman, John, Merrell, Powell, Ross, Sullivan of Jefferson, Swaine, Tipton, Yandes, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Clark, Chambers, Goudie, Greene, Hanna, McDonald, Milroy, Robb, Sturgus and Sullivan of Knox.

Ordered, That the senate be notified accordingly.

The bill authorising the issuing of treasury notes was read a third time and on the question of its passage,

The ayes and noes being demanded by two members—

Those who voted in the affirmative were,

Messrs. Clark, Chambers, Ewing, Ferris, Goudie, Grass, Green, Holman, McDonald, Milroy, Powell, Swaine, Yandes, and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Crawford, Gibson, Hay, Hanna, John, Merrell, Robb, Ross, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Tipton, and Zenor.

And so the vote being equally divided it was

Resolved, That the said bill do not pass.

The bill for the relief of Henry Ayres having been engrossed was read a third time and passed.

Ordered, That the same be entitled an act, and that

the senate be notified accordingly, and their concurrence therein be requested.

Mr. Ferris from the committee on education, pursuant to instructions introduced a bill, to authorise the trustees of the state seminary to loan the money in their possession on interest; which bill was twice read, the rule being dispensed with, and referred to a committee of the whole on to-morrow.

Mr. Hay introduced the following resolution:

Resolved, That the committee of ways and means be instructed to report a bill authorising a loan from any chartered bank, or banks of this state, for the sum of six thousand dollars, for the term of two years, provided that the loan so obtained, shall be paid in the paper of the bank or banks from which the loan may be obtained or in specie or its equivalent.

Which resolution having been read,

Mr. Sullivan of Knox moved that the further consideration thereof be indefinitely postponed; which motion was before the house—when,

On motion by *Mr. Ferris*,

The House adjourned till to-morrow morning at nine o'clock.

Friday, January 5th, 1821.

The House met pursuant to adjournment.

A message from the senate by *Mr. Gray*,

Announcing that the senate have concurred in the amendment made by this house, to the bill providing a summary mode of collecting debts in certain cases.

A message from the Senate by *Mr. Harrison*,

Announcing that the senate have passed an engrossed bill from this house, entitled an act making general appropriations for the year 1821, with an amendment, in which the concurrence of this house is requested.

The said amendment having been read, it was

Resolved, That the house concur therein.

Mr. Ross from the committee for enrolled bills, re-

ported that the said committee had examined and compared,

A joint resolution on the subject of Clark's grant in Clark county state of Indiana, and that the same is truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

Mr. Tipton asked for and obtained leave to introduce a bill concerning the office of secretary of state; which bill the rule being dispensed with, was twice read and referred to a committee of the whole on this day.

Mr. Powell from the committee to whom was referred the bill for the formation of a new county out of the counties of Wabash and Delaware, reported:

That the said committee had according to order, had the said bill under consideration and had amended the same pursuant to instructions.

The amendments made to said bill were read—

Resolved, That the house concur therein.

Ordered, That the said bill as amended be referred to a committee of the whole on this day.

Mr. Powell from the committee to whom was referred the petition of sundry citizens of Vigo county, praying to be authorised to dig a canal therein named, reported:

That the committee had according to order had the said petition under consideration, and are of opinion that the prayer thereof, is reasonable and ought to be granted; but that from the short time the house will be in session, they think a bill could not be passed at this session

The said report having been read, it was—

Resolved, That the house concur therein.

On motion by Mr. Tipton,

Resolved, That the committee on public printing, be instructed to contract with the Editors of Indiana Gazette for publishing in that paper, the acts for the for.

mation of the counties of Bartholomew, Greene, and Union, and the act for the relief of James K. Scott, and others, and with the public printer, for the printing of one hundred copies of the revenue act, for the use of the officers of the different courts of this state.

On motion by Mr. Milroy,

Resolved, That the public printer be instructed, to print with the acts of the present session, the detailed report of the receipts and expenditures of the treasury department, of the preceding year, which was submitted to the house by the committee of ways and means, as is required by the constitution, and the tenth section of an act, concerning the auditor of public accounts and treasurer of state, approved December 11th, 1816, and that the clerk of this house be directed to furnish the printer therewith for that purpose.

Mr. Powell from the committee to whom was referred the petition of sundry citizens of Dearborn county, praying an alteration in the mode of transacting county business, reported as follows :

That in the opinion of the committee, the mode suggested by the petitioners would in many respects be preferable to the mode now in practice.

That the committee are warranted in forming the opinion, not only by the result of the practice pursued by many of our sister states, but by actual observation. in many of the counties of this state, consisting of a dense population, the great variety of business that necessarily devolves on the county commissioners, renders it totally out of their power to transact the same, with that degree of correctness, with which, if transacted in the townships respectively, the same would be done.

The committee would further observe that it is truly consistent with the genius of our republican institutions, for the people to meet and to elect those persons, who are in any respect, to have the control of their concerns, in which they are immediately interested, and it is believed that if the system proposed by the petitioners,

were adopted it would be just and equitable in its operation, truly congenial with the feelings of the people, facilitate the collection of the revenue, preserve order and harmony in society, and consequently add greatly to the respectability of the state.

The committee therefore recommend the adoption of the following resolution :

Resolved, That a committee be appointed to draft and bring in a bill, authorising the people of the different townships to meet and elect all such officers as may be necessary for the regulation of township concerns.

Which report and resolution being read—

Ordered, That the same lie on the table.

On motion,

The house proceeded to consider the orders of the day.

The house resumed the consideration of the bill supplementary to an act, locating certain roads therein named and for other purposes.

Whereupon,

The same having been further amended ;

Ordered, To be engrossed and read a third time on this day.

A message from the senate by Mr. Daniel,

Announcing that the senate have passed an engrossed bill, from this house, entitled an act for the relief of Henry Ayres, without amendment.

A message from the senate, by Mr. Beard,

Announcing that the senate have passed an engrossed bill, from this house, entitled an act for the relief of Thomas McCartney, David Harman and Peter Weaver, without amendment.

A message from the senate by Mr. Drew,

Announcing that the senate have passed an engrossed bill, from this house, entitled an act to amend an act regulating the duties and jurisdiction of justices of

the peace, with an amendment, in which the concurrence of the house is requested.

The said amendment having been read, it was—

Resolved, That the house concur therein.

The house according to order resolved itself into a committee of the whole to consider the report of the committee, to whom was referred, so much of the Governor's message as relates to the Jeffersonville Ohio Canal Company, and the communications from the officers of that institution, to the chairman of that committee, Mr. Merrell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Merrell reported that the committee of the whole had according to order had the said report &c. under consideration, and had made some progress therein, but not having time to go through therewith desired leave to sit again.

On motion by Mr. Ross,

The committee of the whole is discharged from the further consideration of the last mentioned subject.

Mr. Ross moved to amend the second resolution submitted with said report, and which is in the following words to wit :

Resolved, That it is expedient that one part of the three per cent fund, which has accrued or may hereafter accrue to this state, be applied from time to time in completing the Jeffersonville Ohio Canal : *Provided*, The government of the state of Ohio, shall interest itself in its final execution ;' by filling up the blank therein, with the word " third."

Which motion was under consideration—when,

On motion by Mr. Sullivan of Knox,

Ordered, That the said report and resolutions lie on the table—Ayes 17—Noes 10.

And the ayes and noes being demanded by two members,

Those who voted in the affirmative were,
Messrs. Chambers, Clark, Ewing, Goudie, Green,

Hanna, Holman, McDonald, Milroy, Powell, Robb, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Swaine. Yandes and Graham, Speaker.

Those who voted in the negative were,

Messrs. Crawford, Ferris, Gibson, Grass, Hay, John Merrell, Ross, Tipton and Zenor.

A message from the senate by Mr. Slaughter,

Announcing that the senate have passed an engrossed bill, relative to the office of secretary of state, in which the concurrence of the house is desired.

The said bill the rule being dispensed with, was twice read and referred to a committee of the whole on this day.

A message from the senate by Mr. Drew,

Announcing that the senate have passed an engrossed bill, entitled an act fixing the time of holding courts in the several circuits in this state and for other purposes, in which the concurrence of this house is desired ; and further,

That the senate have passed a joint resolution, from this house, on the subject of postage, without any amendment.

The said last mentioned bill, from the senate, was twice read, the rule being dispensed with, and is referred to a committee of the whole on this day.

And the house adjourned till half past one o'clock.

The house met pursuant to adjournment.

The bill supplementary to an act, locating certain roads therein named and for other purposes, approved January 22d, 1820 having been engrossed was read a third time and passed.

Ordered, That the senate be notified of the passage thereof and their concurrence therein requested.

A message from the senate by Mr. Polke,

Announcing that the senate have adopted a memorial to Congress on behalf of the citizens of the county of

Knox and other counties therein named, in which the concurrence of this house is desired.

The said memorial was read, and

The question being put, Will the house adopt the same? It was determined in the negative.

Mr. Tipton a member, voting in the majority on the last vote, moved a reconsideration of the question on the adoption of the last mentioned memorial.

And the question being put, Will the house reconsider the same? It was determined in the affirmative—

And so the question was reconsidered.

The memorial was then amended by unanimous consent, by striking out the words, “or on any vacant land owned by the U. States within the state of Indiana,” at the end of the said memorial—when,

Mr. Robb moved that the said memorial be referred to a select committee, with instructions so to amend the same as to restrict the individuals therein named, from locating lands belonging to the United States, upon which improvements have been made.

Which motion was negatived.

Mr. Robb then moved that the said memorial lie on the table.

Which motion was negatived.

The question was then put, Will the house adopt the memorial? And was determined in the affirmative.

A message from the senate by Mr. Daniel,

Announcing that the senate have passed the following resolution.

Resolved, That the senate will meet the house of representatives in the representative chamber this evening at 6 o'clock, to elect three commissioners and one agent, for this state, under the act appointing commissioners to lay off a town on the site located as a permanent seat of government, and three directors of the state bank of Indiana on the part of the state.

A message from the senate by Mr. Polke,

Announcing that the senate have concurred in the a-

ment made by this house, to the memorial to Congress on behalf of the citizens of Knox county and other counties therein named.

A message from the senate by Mr. Slaughter,

Announcing that the senate have passed an engrossed bill entitled an act divorcing Margaret M'Gee late Margaret Thompson from her husband Crawford M'Gee, in which the concurrence of this house is requested.

The said bill, the rule being dispensed with, was twice read and referred to a committee of the whole on to-morrow.

The joint resolution for the relief of Elijah Fisher late sheriff of Wayne county and the joint resolution authorising the treasurer of state to dispose of certain bank notes therein named—each was read a third time and passed.

Ordered, that the senate be notified accordingly, and that their concurrence be requested.

A message from the Governor by Mr. Lilly,

Announcing that his Excellency did on this day approve and sign the enrolled bills entitled, an act giving further powers to the board of county commissioners of Dearborn county and other counties therein named; an act for the relief of persons owning property in Corydon; an act for the formation of a new county out of the counties of Daviess and Sullivan; an act for the relief of James K. Scott and others; an act for the benefit of the heirs of John Smith deceased.

On motion by Mr. Merrell,

Resolved, That the house of representatives will meet the senate in the representatives' chamber, to-morrow morning at nine o'clock, for the purpose of electing three commissioners and an agent for the state, under the act appointing commissioners to lay off a town on the site located as a permanent seat of government and three directors of the state bank of Indiana, on the part of the state, and that the senate be informed thereof.

The house resumed the consideration of the resolution on yesterday evening submitted by Mr. Hay on the subject of a loan—and,

Thereupon,

Mr. John moved to amend the same by striking it out from the word "resolved," and inserting the following to wit :

That the committee of ways and means, be instructed to draft and report a bill authorising a loan of thousand dollars at the interest of per cent. per annum, payable semiannually, and that the loan be subscribed for, in the same manner as loans authorised by the general government, under the direction and superintendence of the auditor of public accounts and treasurer of state, to supply the deficit in the revenue for the year 1820.

On motion by Mr. Milroy,

The said amendment was amended by adding the following proviso.

Provided that no banking company, their agent or attorney, shall be permitted to subscribe to such loan.

Mr. Robb moved to amend the said amendment, submitted by Mr. John, by inserting immediately after the words, 'dollars,' the words "in specie or its equivalent."

And the question on that motion being put, it was determined in the affirmative.

Mr. Merrell moved to amend the said amendment, submitted by Mr. John, by adding the following to wit:

"And that no warrant audited for any member of the present General Assembly, for his services at this session, shall be received of any sheriff or collector, or of any person or persons for him, in payment of taxes for the year 1820, or any preceding year."

And the question on that motion being put, it was determined in the negative—ayes 8—noes 19.

The ayes and noes being demanded by two members—

Those who voted in the affirmative were,
Messrs. Crawford, Gibson, McDonald, Merrell,
Sturgus, Sullivan of Jefferson and Sullivan of Knox.

Those who voted in the negative were,
Messrs. Battell, Chambers, Ferris, Goudie, Grass,
Green, Hanna, Hay, Holman, John, Milroy, Powell,
Robb, Ross, Swaine, Tipton, Yandes, Zenor, and
Graham, Speaker.

The question was then put, Shall the amendment
submitted by Mr. John, as amended be adopted? And
was determined in the negative—Ayes 8—Noes 19.

And the ayes and noes being demanded by two mem-
bers.

Those who voted in the affirmative were,
Messrs. Clark, Hanna, McDonald, Milroy, Robb,
Sturgus, Sullivan of Knox, and Graham Speaker.

Those who voted in the negative were,
Messrs. Battell, Chambers, Crawford, Ewing, Fer-
ris, Gibson, Goudie, Grass, Green, Hay, Holman, John,
Merrell, Powell, Ross, Sullivan of Jefferson Swaine,
Tipton, Yandes, and Zenor.

Mr. Sullivan of Knox moved that the further con-
sideration thereof be indefinitely postponed.

Which motion was negatived—Ayes 12—Noes 16.

And the Ayes and Noes being demanded by two
members,

Those who voted in the affirmative were,
messrs. Clark, Ewing, Ferris, Goudie, Hanna, Hol-
man, McDonald, Milroy, Sturgus, Sullivan of Knox,
Swaine and Graham, Speaker.

Those who voted in the negative were,
Messrs. Battell, Chambers, Crawford, Gibson, Grass,
Green, Hay, John, Merrell, Powell, Robb, Ross, Sul-
livan of Jefferson, Tipton, Yandes and Zenor.

Mr. Robb moved so to amend the said resolution as
that the loan be obtained in specie or its equivalent:

And the question on that motion being put, it was de-
termined in the affirmative—Ayes 15—Noes 13.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Chambers, Clark, Ferris, Gibson, Goudie, Hanna, Holman, McDonald, Milroy, Robb Ross, Sturgus, Sullivan of Knox, Swaine and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Crawford, Ewing, Grass, Green, Hay, John, Merrell, Powell, Sullivan of Jefferson, Tipton, Yandes and Zenor.

The question was then put, shall the resolution submitted by Mr. Hay, as amended, be adopted? And was determined in the negative—Ayes 14—Nays 14.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Chambers, Clark, Gibson, Goudie, Grass, Green, Hanna, Milroy, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson and Yandes.

Those who voted in the negative were,

Messrs. Battell, Crawford, Ewing, Ferris, Hay, Holman, John, McDonald, Merrell, Sullivan of Knox, Swaine, Tipton, Zenor and Graham Speaker.

Mr. Powell moved that the further consideration of all the business before the house (the bill making certain specific appropriations and the bill fixing the time of holding courts in the several counties in this state and for other purposes, excepted) be postponed till the first Monday in December next.

Which motion was before the house—when,

On motion,

The house adjourned till this evening at half past 6 o'clock.

The house met pursuant to adjournment.

Mr. Merrell, from the committee for enrolled bills,

reported that the said committee have examined and compared a joint resolution for the benefit of Harbin H. Moore and for other purposes ; also an enrolled bill entitled an act, supplementary to an act subjecting real and personal estate to execution, approved January 7th, 1818 ; and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

A message from the senate by Mr. Slaughter,

Announcing that the senate have passed the joint resolution authorizing the treasurer of state to dispose of certain bank notes therein named, without amendment.

Mr. Ross, from the joint committee for enrolled bills, reported that the said committee had examined and compared an enrolled bill, entitled an act providing a summary mode of collecting debts in certain cases, and that the same is truly enrolled.

Whereupon—The Speaker signed the same.

Ordered, That the senate be notified accordingly.

Mr. Crawford moved that the vote on the adoption of the resolution introduced by Mr. Hay, on the subject of a loan, as the same was amended, be reconsidered ; and the question being put, shall the said vote be reconsidered ? It was determined in the affirmative—Ayes 18—Noes 10.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Battell, Chambers, Crawford, Gibson, Grass, Green, Hay, John. Merrell, Powell, Robb, Ross, Sturgus, Sullivan of Knox, Tipton, Yandes, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Clark, Ewing, Ferris, Goudie, Hanna, Holman, McDonald, Milroy, Sullivan of Jefferson, and Swaine.

And so it was resolved, that the said vote be reconsidered.

Mr. Ross moved to amend the said resolution by striking out the words 'committee of ways and means,' and inserting in lieu thereof the words 'a select committee;' and the question on that motion being put, it was determined in the affirmative; and the resolution was so amended.

Mr. Ferris moved to amend the said resolution by striking it out from the words 'resolved that a select committee be appointed,' and inserting in lieu thereof the following, to wit: 'to prepare a bill to provide for issuing audited warrants drawn on the treasurer to the amount of ——— thousand dollars and to make the same receivable in payment of lots to be sold at the seat of government:' a division of the question being demanded, the question was first put on striking out from the words 'resolved that a select committee be appointed,' and was determined in the negative. The question was then again put, shall the resolution be adopted? And was determined in the negative—Ayes 12—Noes 16.

And the Ayes and Noes being demanded by two members,

*Those who voted in the affirmative were,
Messrs. Battell, Crawford, Gibson, Grass, Green, Merrell, Powell, Robb, Ross, Sturgus, Sullivan of Jefferson and Yandes.*

*Those who voted in the negative were,
Messrs. Chambers, Clark, Ewing, Ferris, Goudie, Hanna, Hay, Holman John, McDonald, Milroy, Sullivan of Knox, Swaine, Tipton, Zenor and Graham Speaker.*

The house, according to order, resolved itself into a committee of the whole to consider the engrossed bill from the senate, entitled an act fixing the time of holding the courts in the several circuits in this state, Mr. Powell in the chair. and after some time spent in the consideration thereof, the Speaker resumed the chair,

and Mr. Powell reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some progress therein, but not having time to go through therewith, desired leave to sit again.

Leave to sit again is accordingly granted.

The house according to order, resolved itself into a committee of the whole, to consider the engrossed bill from the senate, entitled an act relative to the office of secretary of state, Mr. Powell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had, according to order, had the said bill under consideration, and having made no amendment thereto, had directed him to report the same to the house.

Ordered, that the same be engrossed and read a third time on to-morrow.

A message from the senate by Mr. Polke,

Announcing that the senate will meet the house of representatives in the representative chamber on to-morrow morning at nine o'clock, pursuant to a resolution of this house, for the purpose of electing three commissioners and one agent, pursuant to an act appointing commissioners to lay off a town on the site located as a permanent seat of government; also three directors of the state bank of Indiana on the part of the state; and that the senate have appointed Mr. Polke teller on the part of that body.

Mr. Merrell, from the committee for enrolled bills, reported, that the said committee did on this day present to his Excellency the Governor for his approbation and signature the enrolled bills entitled—An act supplementary to an act, entitled an act subjecting real and personal property to execution, approved January 7th, 1818—And an act providing a summary mode of collecting debts in certain cases.

The house, according to order, resolved itself into a

committee of the whole to consider the joint resolution of the General Assembly of the state of Indiana, relative to banks, Mr. Powell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had, according to order, had the said resolution under consideration, and had made sundry amendments thereto, in which he asked the concurrence of the house.

The said amendments having been read,

Resolved, That the house concur therein.

Mr. Robb moved to amend the said resolution by adding the following, to wit:—That no person or persons, body politic or company being the holder of any promissory note drawn payable and negotiable at any bank either in or out of this state, shall be suffered to commence, prosecute or maintain any suit or action in any court in this state founded on such promissory note against any endorser thereon, until such holder shall have first prosecuted the original maker or drawer thereof to insolvency. That when such original drawer or maker shall have been proceeded against as is contemplated by this resolution, and proves to be insolvent, it shall and may be lawful for such holder to institute his or their suit or action against the endorsers of such note, their executors or administrators, collectively and jointly, and not severally, and judgment shall be entered up accordingly; and it shall be the duty of the sheriff into whose hand the said execution or said judgment shall come, to collect the same from such defendants in equal proportions.

That no other or greater per cent interest shall be collected in this state than six per cent per annum, and that the ten per centum damages for failure to pay such note shall not be allowed, any law, usage or custom to the contrary notwithstanding.

That all laws or parts of laws now in force in this

state concerning the provisions of this resolution be and the same are hereby repealed.

That all laws and parts of laws now in force in this state, which puts promissory notes drawn payable and negotiable at any bank, upon any other or better footing than common promissory notes between individual and individual, be and the same is hereby repealed.

Which motion was determined in the affirmative—
Ayes 11—Noes 10.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,
messrs. Chambers, Clark, Crawford, Gibson, Goudie, Grass, Green, Hanna, McDonald, Robb, and Swaine.

Those who voted in the negative were,
Messrs. Ewing, Ferris, Holman, John, Merrell, Milroy, Powell, Tipton, Zenor Graham, Speaker.

Ordered, That the said resolution be engrossed and read a third time on to-morrow.

The house according to order resolved itself into a committee of the whole to consider the bill to appoint commissioners to re-locate the seat of justice of Crawford county, Mr. Powell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Powell reported that the committee of the whole, had according to order, had the said bill under consideration, and had made sundry amendments thereto, in which he desired the concurrence of the house.

Resolved, That the house concur therein.

Ordered, That the same be engrossed and read a third time on to-morrow.

The house, according to order, resolved itself into a committee of the whole to consider the bill to amend an act regulating general elections, Mr. Powell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Powell report-

ed, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same by striking it out from the enacting clause, in which amendment he asked the concurrence of the house.

The question on concurrence being put, it was determined in the negative—Ayes 9—Noes 11.

And the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Clark, Crawford, Ewing, Gibson, Grass, Merrell, Robb, Tipton and Zenor.

Those who voted in the negative were,

Messrs. Ferris, Goudie, Green, Hanna, Holman, John, McDonald, Milroy, Powell, Swaine, and Graham Speaker.

The house, according to order, resolved itself into a committee of the whole to consider the bill to prevent injury by dogs, Mr. Powell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Powell reported, that the committee of the whole had, according to order, had the said bill under consideration, and had made some amendments thereto, in which the concurrence of the house is desired.

The said amendments were read.

Resolved, That the house concur therein.

Ordered, that the same be engrossed and read a third time to-morrow.

And the house adjourned till to-morrow morning eight o'clock.

Saturday, January 6th, 1821.

The House met pursuant to adjournment.

On motion by Mr. Milroy,

Resolved, That the election for commissioners to lay

off a town at the permanent seat of government and the agent for the same, as also the election for directors of the state bank of Indiana on the part of the state, be conducted in every respect as is prescribed in the second section of an act, entitled an act to provide for the election of senators and representatives from this state to the Congress of the United States; and that but one commissioner be balloted for at one time, and that the senate be informed thereof and requested to adopt a similar resolution.

Whereupon,

Mr. Milroy is appointed by the Speaker, teller on their part to conduct said election.

Ordered, That the senate be notified accordingly.

On motion by Mr. Holman,

Resolved, That it is inexpedient for this General Assembly to adjourn sine die on this day, and that the senate be informed thereof.

Mr. Clark, from the committee to whom was referred the charges presented to the house of representatives against Aaron Vandever and William Royce, justices of the peace for Washington county, reported that it is the opinion of said committee that at this advanced stage of the session, and there being no officer to execute the process of the house, the same shall be postponed till the first Monday in December next.

Which report was read.

Whereupon,

Resolved, That the house concur therein.

Mr. Merrell, from the committee for enrolled bills, reported that the said committee had examined and compared an enrolled bill, entitled an act appointing commissioners to lay off a town on the site selected as a permanent seat of government, and that the same is truly enrolled.

The engrossed bill to prevent injury by dogs, was read a third time, and on the question of its passage,

The Ayes and Noes were demanded by two members,

Those who voted in the affirmative were,
Messrs. Clark, Crawford, Ferris, Gibson, Grass, Holman, Merrell, Sullivan of Jefferson, Swaine, Yandes and Graham, Speaker—11.

Those who voted in the negative were,
Messrs. Chambers, Ewing, Goudie, Green, Hanna, Hay, John, McDonald, Powell, Robb, Ross, Sturgus, Sullivan of Knox, Tipton and Zenor—15.

The engrossed bill relative to the office of secretary of state, which originated in the senate, was read a third time and passed.

Ordered, That the senate be notified accordingly.

On motion by Mr. Tipton,

Resolved, That the committee of the whole to whom was referred the bill (which originated in this house) concerning the secretary of state, be discharged from the further consideration thereof—and further, that the further consideration of said bill be indefinitely postponed.

A message from the senate by Mr. Polke,

Announcing that the senate have passed an engrossed bill, from this house, entitled an act to authorize the erection of a house for the employment and support of the poor of Knox county, with an amendment, in which they desire the concurrence of the house.

The said amendment having been read it was—

Resolved, That the house concur therein.

Ordered, That the senate be notified accordingly.

Mr. Ross from the committee for enrolled bills, reported that the committee did on this day, present to his Excellency the Governor, for his approval and signature the enrolled bills entitled:

An act appointing commissioners to lay off a town on the permanent seat of government and,

An act to amend an act to license and regulate taverns.

Mr. Sullivan of Knox asked for and obtained leave, to submit the complaint of Nathaniel Huntingdon against Curtis Gilbert, clerk of the circuit court of Vigo county for mal-feasance in office ; which having been read,

Ordered, That the same be referred to a select committee to consider and report thereon; and

Messrs. Sturgus, Sullivan of Knox, Sullivan of Jefferson and Tipton are appointed that committee.

A message from the Governor by Mr. Lilly, Announcing that his Excellency did on this day approve and sign the enrolled bill entitled :

An act appointing commissioners to lay off a town on the site selected for a permanent seat of government.

A message from the senate by Mr. Harrison, Announcing that the senate have concurred in the resolution of the house of representatives on the subject of electing commissioners to lay off a town on the permanent seat of government, an agent and three bank directors, and that the senate are ready to meet the house of representatives in the representative chamber to proceed to said election.

A message from the senate by Mr. Slaughter, Announcing that the senate have passed an engrossed bill, which originated in the house of representatives entitled an act supplementary to an act locating certain roads therein named, and for other purposes, without amendment.

Mr. Merrell from the committee for enrolled bills reported that the said committee have examined and compared,

A memorial of the General Assembly of the state of Indiana to Congress on the subject of the great national road and,

A joint resolution for the relief of Elijah Fisher late sheriff of Wayne county, also—

The enrolled bills entitled as follows : an act to a

mend an act entitled an act to prevent certain immoral practices, approved January 3, 1817; an act making appropriations for the year one thousand eight hundred and twenty-one; an act to amend an act, entitled an act for the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools or meeting houses, approved January 1, 1820; and an act providing for running and marking the line dividing the states of Indiana and Illinois, and that the same are truly enrolled.

On motion,

Ordered, That the clerk inform the senate that the house of representatives are ready to proceed to the election of an agent and three commissioners, pursuant to the provisions of an act appointing commissioners to lay off a town on the site selected as a permanent seat of government, on this day approved by his Excellency the Governor, and three directors of the bank of Vincennes the state bank of Indiana, on the part of the state.

Which duty having been performed, the senators convened in the representatives' chamber, and proceeded to the election of an agent for the state, pursuant to the provisions of the aforementioned act, and after two ballotings had thereon, upon which no person obtained a majority of the whole number of votes given, upon the third balloting the votes being counted, and announced in the usual manner, it appeared that John Carr of the county of Clark, had twenty two votes—which being the highest number of votes and a majority of the whole number of votes given, he the said John Carr was.

Thereupon,

By the President of the senate in the presence of both houses, declared duly elected agent as aforesaid, to act for the state, pursuant to the provisions of the aforementioned act.

The two houses in like manner proceeded to the elec-

tion of one commissioner, pursuant to the provisions of the aforementioned act, and the votes being counted & announced in like manner as aforesaid, it appeared that James W. Jones had twenty-five votes, which being the highest number of votes, and a majority of the whole number, he was in like manner, declared duly elected commissioner to act for the state, under the provisions of the aforementioned act.

The two houses in like manner proceeded to the election of another commissioner, pursuant to the provisions of the aforementioned act, the votes being in like manner as aforesaid counted and announced, Christopher Harrison had twenty-three votes, which being the highest number of votes and a majority of the whole number, he was in like manner, declared duly elected commissioner to act for the state, under the provisions of the aforementioned act.

The two houses in like manner proceeded to the election of a third commissioner, pursuant to the provisions of the aforementioned act, and the votes being in like manner as aforesaid counted and announced, Samuel P. Booker had twenty-one votes, which being the highest number of votes, and a majority of the whole number, he was in like manner as aforesaid, declared duly elected a commissioner to act for the state, under the provisions of the aforementioned act.

The two houses then proceeded to the election of three directors of the bank of Vincennes, the state bank of Indiana, and the votes having been in like manner counted and announced, A. Bayless had thirty-one votes — Benjamin V. Bechus had twenty two votes, & Marston G. Clark had nineteen votes, which being the highest number of votes given to any person and severally a majority of all the votes given, they were each announced in the manner aforesaid, duly elected directors as aforesaid.

And the senate returned to the senate chamber.

And the house adjourned till two o'clock.

The house met pursuant to adjournment.

A message from the Governor by Mr. Lilly,
Announcing that his Excellency did on this day approve and sign an enrolled bill entitled,

An act to amend an act entitled an act, to license and regulate taverns, approved January 28, 1820.

Mr. Ross from the committee for enrolled bills, reported that the said committee have on this day examined and compared the enrolled bills entitled :

An act legalizing the board of county commissioners of Vigo county and for other purposes.

An act for the relief of Thomas McCartney, David Harman and Peter Weaver.

An act to repeal the fourth section of an act, to regulate marriages and for other purposes, approved January 3d, 1820—and,

An act to amend the act, regulating the duties and jurisdiction of justices of the peace, and that the same are truly enrolled.

The Speaker signed the last mentioned bills.

Ordered, That the clerk notify the senate accordingly.

The engrossed bill, from the senate, divorcing Margaret M'Gee late Margaret Thompson, from her husband Crawford M'Gee, was read a third time and on the question of its passage, being put, it was determined in the affirmative—Ayes 13—Noes 11.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,
Messrs. Battell, Chambers, Crawford, Ewing, Ferris, Goudie, Green, Hay, Powell Robb Sturgus, Tipton, and Graham, Speaker.

Those who voted in the negative were,
Messrs. Crawford, Hanna, John, McDonald, Moss,

Sullivan of Jefferson, Sullivan of Knox, Swaine, and Zenor.

Ordered, That the clerk notify the senate accordingly.

The bill appointing commissioners to relocate the seat of justice for Crawford county having been engrossed, read a third time and the question being put shall this bill pass? It was determined in the affirmative—Ayes 13—noes 12.

And the Ayes and Noes being demanded by two members.

Those who voted in the affirmative were,

Messrs. Battell, Crawford, Ewing, Gibson, Green, Hay, John, McDonald, Merrell, Robb, Sullivan of Knox, Tipton, and Zenor.

Those who voted in the negative were,

Messrs. Chambers, Clark, Ferris, Gondie, Hanna, Holman, Milroy, Powell, Ross, Sturgus, Swaine, and Graham Speaker.

Ordered, That the senate be notified accordingly.

The bill to amend the act entitled an act, locating certain roads therein named, and for other purposes, having been engrossed was read a third time and passed.

Ordered, That the same be entitled an act, and that the clerk notify the senate of the passage thereof, and their concurrence therein be requested.

According to order the house now resolved itself into a committee of the whole, to consider the bill for the formation of a new county, north of Vigo county, Mr. Holman in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Holman reported that the committee of the whole had according to order, had the said bill under consideration and had made sundry amendments thereto, in which the concurrence of the house was requested.

The amendments were read.

Resolved, That the house concur therein.

Ordered, That the said bill be engrossed and read a third time to-day.

Mr. Merrell from the committee for enrolled bills reported that the said committee did on this day examine

An enrolled joint resolution, authorising the treasurer of state to dispose of certain bank notes therein named.

And that the same is truly enrolled.

The Speaker having signed the same.

Ordered, That the clerk notify the senate accordingly.

Mr. Zenor moved that the question on the passage of the bill authorising the issuing of treasury notes, be reconsidered.

And the question on that motion being put, it was determined in the affirmative—and so it was,

Resolved, That the said question be reconsidered.

Accordingly the question was again put, Shall the bill authorising the issuing treasury notes pass? It was determined in the negative—Ayes 14—Noes 14.

And the ayes and noes being demanded by two members :

Those who voted in the affirmative were,

Messrs. Chambers, Clark, Ewing, Ferris, Gaudie, Grass, Green, Holman, McDonald, Milroy, Powell, Swaine, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Crawford, Gibson, Hanna, Hay, John, Merrell, Robb, Ross, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Tipton and Vandes.

Mr. Sullivan of Knox moved that the question last put on the passage of the bill authorising the issuing of treasury notes, be reconsidered.

And the question on that motion being put, it was determined in the affirmative—and so it was,

Resolved, That the said question be reconsidered—
and,

Thereupon,

The question was again, a third time put, Shall the bill authorising the issuing of treasury notes, pass? and was determined in the affirmative—Ayes 13—noes 12.

The Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Chambers, Clark, Ewing, Ferris, Goudie, Grass, Green, Holman, McDonald, Milroy, Powell, Swaine, Zenor and Graham, Speaker.

Those who voted in the negative were,

Messrs. Battell, Crawford, Gibson, Hanna, Hay, John, Robb, Ross, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Tipton and Yandes.

And so it was resolved that the said bill pass.

Ordered, That the same be entitled an act, and that the clerk notify the senate and request their concurrence.

On motion by Mr. Sullivan of Jefferson,

Resolved, That the committee of the whole to whom was referred the bill fixing the time of holding the circuit courts in the several circuits in this state, be discharged from the further consideration thereof, and that the same be referred to a select committee, from each senatorial district.

A message from the senate by Mr. Dunbar, their assistant secretary :

Announcing that his Excellency the Governor, did on this day communicate to that body, by Mr. Lilly, that he has approved and signed the enrolled bills entitled :

An act supplemental to an act, entitled an act supplementary to an act entitled an act, fixing seats of justice in all new counties hereafter to be laid off, and

An act for the apportionment of senators and representatives in this state.

The Speaker appointed Messrs. Sullivan of Jefferson, Holman, John, Ferris, Ross, Tipton, Milroy, Robb, Battell and Sullivan of Knox, a committee, to consider and report on the bill, fixing the times of holding courts in the several circuits in this state.

A message from the senate, by Mr. Slaughter,

Announcing that the senate have passed an engrossed bill entitled an act amendatory to the several acts prescribing the mode of changing the venue in certain cases, in which the concurrence of this house is requested.

The said bill was twice read, (the rule being dispensed with) and is,

Ordered, To lie on the table.

Mr. Clark from the committee on the subject of Banks and the circulating medium made the following report:

The joint committee on banks, and the circulating medium, to whom was referred the resolution, instructing your committee to call on the chief Executive of this state, for certain information therein contained relative to the situation of the different banks within the state, have performed the duty required of them, by laying the resolution referred to them, before his Excellency the Governor. The documents herewith submitted and marked A, B, C and D, will more fully develop the subject referred to your committee. The document marked A, is a communication from his Excellency the Governor to your committee, on the subject submitted by them. The document marked B, is a communication from the cashier of the Corydon branch bank, to his Excellency the Governor, on the subject of the affairs of that institution. The documents marked C and Nos. I, to VII, contain the report of the Corydon Branch Bank, as also sundry communications from the cashier of the state bank of Indiana, and agent of the Steam Mill Company, together with the procee-

dings of the board of directors of said branch bank, on the 27th of April and 23d of September last.

The document marked D, is a copy of the by-laws and regulations of said branch bank, all of which documents will in the opinion of the committee, fully and satisfactorily develop the situation of the Corydon branch bank.

All of which is respectfully submitted.

The said report, and documents accompanying, were read and,

Thereupon,

Ordered, That three hundred copies of the same be printed for the use of the members of this house.

The Speaker submitted a communication from D. C. Lane, Esq. which was read.

Ordered, That three hundred copies thereof be printed.

On motion,

Resolved, That the chairman of the committee on banks be requested to call upon D. C. Lane, Esq. and request of him to lay before the house a letter alluded to in his communication to the house, and stated to have been received from a member of the Steam Mill Company.

Mr. Ross, from the committee for enrolled bills, reported that the said committee had examined and compared an enrolled joint resolution of the General Assembly of the state of Indiana to promote education; and the enrolled bills entitled an act for the relief of Henry Ayres; an act attaching part of the county of Clark to the county of Floyd, and that the same are truly enrolled.

The Speaker signed the same.

Ordered, That the clerk notify the senate accordingly.

Mr. Merrell, from the committee for enrolled bills, reported that the said committee did on this day pre-

sent to his Excellency the Governor, for his approbation and signature,

A joint resolution authorizing the treasurer of state to dispose of certain bank notes.

A memorial of the General Assembly of the state of Indiana to Congress, on the subject of the great national road—and the enrolled bills entitled as follows :

An act to amend an act, entitled an act to prevent certain immoral practices.

An act making appropriations for the year 1821.

An act providing for running and marking the line between this state and Illinois.

An act to amend an act, entitled an act for the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools or meeting houses, approved January 18th, 1820.

An act legalizing the board of county commissioners of Vigo county and for other purposes.

An act for the relief of Thomas McCartney, David Harman and Peter Weaver.

An act to amend an act, entitled an act regulating the duties and jurisdiction of justices of the peace, approved January 28th, 1820.

An act to repeal the fourth section of an act, to amend an act, entitled an act to regulate marriages and for other purposes, approved January 5th, 1820.

Also a joint resolution for the relief of Elijah Fisher late sheriff of Wayne county.

The house adjourned till six o'clock this evening.

Saturday Evening, six o'clock.

The house met pursuant to adjournment.

On motion by Mr. Milroy,

Resolved. That a committee be appointed to enquire into the expediency of passing a law prohibiting the li-

ability of any of the branch banks for the payment of the debts of the mother bank of this state.

Messrs. Milroy, Sullivan of Jefferson, Sullivan of Knox and Ferris are appointed that committee

The engrossed bill from the senate, entitled an act incorporating the Indiana Manufacturing Company at New-Albany, was read a second time and referred to a committee of the whole on Monday next.

The bill to amend the act regulating foreign and domestic attachments, was read a second time—and,

On motion by Mr. John,

Resolved, That the further consideration thereof be postponed till the first Monday in December next.

According to order. the house resolved itself into a committee of the whole to consider the joint resolution on the subject of banks, Mr. Grass in the chair, and after some time spent in considering the same, the Speaker resumed the chair, and Mr. Grass reported, that the committee of the whole had, according to order, had the said resolution under consideration, and had amended the same by striking out that part thereof attached thereto by way of amendment on yesterday, on motion by Mr. Robb, in which amendment he desired the concurrence of the house.

Resolved. That the house concur therein.

Mr. Robb moved to amend the said resolution by adding thereto the following, to wit:—"That from and after the passage of this resolution, no member of the General Assembly, the Governor of this state, the Secretary of State, Auditor of Public Accounts, Treasurer of State or State Agent shall be a director of any chartered bank within this state, or be employed by said bank as their cashier, clerk or agent, except such persons as are appointed directors of the state bank of Indiana on behalf of this state."

The said amendment was rejected—Ayes 5—Noes 19. And the Ayes and Noes being required by two members,

Those who voted in the affirmative were,
Messrs. Clark, Gibson, Goudie, Robb and Sullivan of Knox.

Those who voted in the negative were,
Messrs. Chambers, Crawford, Ewing, Ferris, Grass, Green, Hanna, Holman, John, McDonald, Merrell, Milroy, Powell, Ross, Sullivan of Jefferson Swaine, Tipton and Graham, Speaker.

Ordered, that the said resolution be engrossed and read a third time on *Monday next*.

The bill for the formation of a new county north of the county of Vigo, was read a third time and passed.

Ordered. That the same be entitled an act, and that the clerk notify the senate, and request their concurrence therein.

The bill for the benefit of John Fichili, was read a second time, and referred to a committee of the whole house on this evening.

The house according to order, resolved itself into a committee of the whole, to consider the said last mention bill, *Mr. Ferris* in the chair, and after some time spent in the consideration thereof, the *Speaker* resumed the chair, and *Mr. Ferris* reported, that the committee of the whole had, according to order, had the said bill under consideration, and had amended the same by striking out the first section thereof from the enacting clause, in which amendment he requested the concurrence of the house.

Resolved, That the house concur therein.

On motion,

Resolved. That the further consideration of said bill be postponed till the first Monday in December next.

The house, according to order, resolved itself into a committee of the whole to consider the bill to repeal an act vacating part of the town of Lanesville, approved January 18th, 1820, *Mr. Sullivan of Jefferson* in the chair, and after some time spent in the consideration thereof, the *Speaker* resumed the chair, and *Mr. Sulli-*

van reported, that the committee of the whole had, according to order, had the said bill under consideration, and having made no amendments thereto, had directed him to report the same to the house.

By unanimous consent, the said bill was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof and their concurrence therein be requested.

The house according to order resolved itself into a committee of the whole to consider the bill making specific appropriations, the bill authorizing the building of a state prison at Jeffersonville and for other purposes, and the bill to amend the act regulating the settling of testate and intestate estates and for the relief of widows, Mr. Sullivan of Knox in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair, and Mr. Sullivan reported that the committee of the whole, had according to order, had the said bills under consideration, and had made some progress therein but not having time to go through therewith, had directed him to ask leave to sit again.

Leave to sit again is granted accordingly.

On motion by Mr. Robb,

Resolved, That Mr. Grass, a member from Warrick county, have leave of absence during the residue of the present session.

Mr. Ferris submitted the following resolution :

Resolved, That a committee be appointed to enquire into the expediency of erecting a jail on such lots as may be assigned for that purpose, and to provide for the appointment of justices of the peace and constables at Indianapolis.

Mr. Clark, the chairman of the committee on banks, reported that, pursuant to the resolution of instructions he had called upon D. C. Lane, Esq. and requested him to lay before the house a letter alluded to in said

resolution, and that that gentleman had cheerfully delivered the said letter to him.

The said letter was read.

The house adjourned till Monday morning at nine o'clock.

Monday, January 8th, 1821.

The House met pursuant to adjournment.

On motion,

Ordered, that the clerk deliver to the public printer a copy of the letter submitted to the house by D. C. Lane, Esq. from a member of the Steam Mill Company, and that three hundred copies thereof be printed with the other documents ordered to be printed on Saturday last.

Mr. Milroy, from the select committee to whom was referred the resolution directing an enquiry into the expediency of passing a law prohibiting the liability of any branch bank for the debts of the mother bank, reported :

That the said committee had, according to order, had the said subject under consideration, and are of opinion that it is inexpedient to report a bill to that effect, but had directed him to report a bill authorizing the issuing injunctions in certain cases, which he was ready to do when the house would receive the same.

The said bill was twice read, (the rule being dispensed with) and is referred to a committee of the whole on this day.

Mr. Sullivan of Jefferson, from the committee to whom was referred the bill fixing the times of holding courts in this state, reported that the said committee had, according to order, had the said bill under consideration, and had made sundry amendments thereto, in which they had directed him to report to the house and request their concurrence therein.

The said amendments were read.

Whereupon,

Resolved, That the house concur therein.

The said bill was further amended so as to be in force from and after its passage

Mr. Tipton moved so to amend the same that the circuit court in and for Harrison county sit twelve days if the business thereof require it ; which amendment was rejected.

The said bill was read a third time, and on the question of its passage,

The Ayes and Noes were demanded by two members.

Those who voted in the affirmative were,

Messrs. Battell, Chambers, Clark, Crawford, Ewing, Ferris, Gibson, Goudie, Hanna, Holman, John, Merrell, Milroy, Powell, Ross, Sullivan of Jefferson, Sullivan of Knox, Swaine, Yandes and Graham Speaker—20.

Those who voted in the negative were,

Messrs. Green, Hay, McDonald, Sturgis, Tipton and Zenor—7.

And so it was resolved, that the said bill pass.

Ordered, That the senate be notified accordingly, and their concurrence in the amendments be requested.

Mr. Sturgis, from the committee to whom was referred the complaint of Nathaniel Huntington against Curtis Gilbert, clerk of the Vigo circuit court reported :

that the said committee had, according to order, had the said subject under consideration, and from the written statement of the said Nathaniel Huntington herewith submitted by the committee to the house, it does appear that the house of representatives should prefer articles of impeachment against the said Curtis Gilbert for malfeasance and misfeasance in his said office, therefore the committee submit the following resolution :

Resolved, That a committee be appointed to prefer articles of impeachment against the said Curtis Gilbert, Esq. agreeably to the complaint of Nathaniel Hunting-

ton against the said Curtis Gilbert, as laid before this house, and the statement made in writing to the select committee by the said Nathaniel Huntington, to whom was referred his complaint, and that the said statement of Nathaniel Huntington, Esq. be referred to the said committee.

The said report and resolution were read.

Resolved, That the house concur therein.

Messrs. Sturgus, Sullivan of Jefferson, Merrell and Battell are appointed the committee contemplated by said resolution.

The joint resolution relative to banks having been engrossed, was read a third time and passed.

Ordered, That the clerk notify the senate thereof, and request their concurrence.

Mr. Ross, from the committee for enrolled bills, reported, that the said committee have examined the enrolled bills entitled an act to incorporate New Albany school; an act for the relief of the administrators of the estate of John McMurtry deced. and Tubby Bloyd; Also, a joint resolution on the subject of postage; and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

A message from the Governor by Mr. Lilly.

Announcing that his Excellency did on this day approve and sign the enrolled bills entitled as follows:

An act legalizing the board of county commissioners of Vigo county and for other purposes.

An act to repeal the fourth section of an act entitled an act to regulate marriages and for other purposes, approved January 8d, 1820.

An act to amend the act, entitled an act regulating the duties and jurisdiction of justices of the peace.

An act to amend an act, entitled an act to prevent certain immoral practices, approved Jan. 3d, 1817.

An act for the relief of Thomas McCartney, David Harman and Peter Weaver.

An act to amend the act, entitled an act for the appointment of trustees to receive deeds for lots or lands given or purchased for the use of schools or meeting houses, approved January 1st, 1820.

An act making appropriations for the year one thousand eight hundred and twenty one.

Also, a joint resolution authorizing the treasurer of state to dispose of certain bank notes therein named.

And a memorial of the General Assembly of the state of Indiana to Congress, on the subject of the great national road ; all of which originated in this house.

A message from the senate, by Mr. Slaughter,

Announcing that the senate have passed an engrossed bill from this house, entitled an act to repeal an act vacating part of the town of Lanesville, without amendment.

A message from the senate by Mr. Drew,

Announcing that the senate have passed the joint resolution relative to banks, which originated in the house of representatives, without any amendment.

A message from the senate by Mr. Beard,

Announcing that the senate have passed an engrossed bill from this house, entitled an act authorizing the issuing of treasury notes, with sundry amendments, in which the concurrence of the house is requested.

The house, according to order, resolved itself into a committee of the whole to consider the bill, to reduce into one act all the acts and parts of acts now in force, in this state to regulate mills and millers, Mr. Ross in the chair, and after some time spent in the consideration thereof. the Speaker resumed the chair, and Mr. Ross reported that the committee of the whole, had according to order, had the said bill under consideration, and had made sundry amendments thereto, in which he requested the concurrence of the house.

The said amendments were read.

Resolved, that the house concur therein.

Mr. Powell moved to amend the said bill, by striking out all that part thereof, which relates to proceedings on writs of ad quod damnum.

And the question on that motion being put, it was determined in the negative.

And the Ayes and Noes being demanded by two members,

Mr. Powell voted in the affirmative and all the other members present in the negative.

Messrs. Chambers, Grass and Sullivan of Knox were absent.

Ordered, That the said bill be engrossed and read a third time to day.

Mr. Merrell from the committee for enrolled bills reported that the said committee had examined the enrolled bills entitled :

An act divorcing Margaret M'Gee late Margaret Thompson, from her husband Crawford M'Gee, and

An act relative to the office of secretary of state, and that the same are correctly enrolled.

A message from the senate by their secretary Mr. Morrisson :

Announcing that his Excellency the Governor, has communicated to the senate that he has on this day, approved and signed an enrolled bill entitled,

An act providing for running and marking the line dividing the states of Indiana and Illinois—also,

A joint resolution for the relief of Elijah Fisher late sheriff of Wayne county ; which originated in the senate.

The house adjourned till half past one o'clock.

The house met pursuant to adjournment.

Mr. Ross from the committee for enrolled bills, reported that the said committee had examined and compared the enrolled bill entitled,

An act subjecting bank notes refused to be redeemed with specie on demand to interest ; and that the same is truly enrolled.

Whereupon—The Speaker signed the same.

Ordered, That the senate be notified accordingly.

The house resumed the consideration of the amendments made by the senate, to the bill authorising the issuing of treasury notes, and the same were read,

Whereupon,

It was resolved, That the house concur therein.

Ordered, That the senate be notified accordingly.

According to order, the house resolved itself into a committee of the whole, to consider the bill authorising injunctions to issue in certain cases, Mr. Battell in the chair, and after some time spent in the consideration thereof, the Speaker resumed the chair and Mr. Battell reported that the committee of the whole, had according to order had the said bill under consideration and had made some amendments thereto, in which amendments he asked the concurrence of the house.

The said amendments were severally read.

By unanimous consent—

Resolved, That the house concur in all the amendments made to said bill, except the amendment made by adding an additional section, numbered 6 and which is in the words following to wit :

Sec. 6. If any director or directors, stockholder or stockholders, or any other officer or officers of the bank of Vincennes the state bank of Indiana, or any of the offices of discount and deposit, or any other person or persons, shall after the publication of this act in the Indiana Gazette, remove or conceal any of the books, notes, accounts, money, or other effects of the bank of Vincennes, the state bank of Indiana, or either of the offices of discount and deposit in this state, shall deface, destroy or conceal any of the bank notes, bills or accounts or other effects of the same, or shall issue any note or notes, bill or bills, after the passage of this act,

and antidate the same, he, she or they so offending shall upon conviction by presentment or indictment, before any competent tribunal, receive the judgment of the law, and shall in addition thereto, be forever after disqualified from holding any office of trust, honor or profit in this state.

And the question on concurrence in said amendment, being put, it was determined in the negative—ayes 11—noes 14.

And the ayes and noes being demanded by two members :

Those who voted in the affirmative were,

Messrs. Clark, Gibson, Goudie, Hanna, McDonald, Robb, Sturgus, Sullivan of Knox, Swaine, Yandes, and Zenor.

Those who voted in the negative were,

Messrs. Battell, Chambers, Crawford, Ewing, Ferris, Green, Hay, John, Merrell, Milroy, Powell, Sullivan of Jefferson, Tipton, and Graham, Speaker.

Mr. Sullivan of Knox moved to amend the said bill by adding as additional section the following :

That no bank, office of discount or deposit in this state, shall issue any note or notes, bill or bills, or re-issue the same, unless such bank or office of discount & deposit are paying specie, and if any bank or office of discount and deposit in this state, shall issue any new note or notes, bill or bills, or re-issue the same, and are not at that time, and shall not continue to pay specie, shall be deemed guilty of swindling, and every director ordering the same, shall be punishable according to law upon presentment or indictment.

The said amendment was rejected—Ayes 11—Noes 15.

Those who voted in the affirmative were,

Messrs. Clark, Gibson, Goudie, Green, Hanna, McDonald, Robb, Sturgus, Sullivan of Knox, Yandes and Zenor.

Those who voted in the negative were,

Messrs. Battell, Crawford, Chambers, Ewing, Ferris, Hay, John, Merrell, Milroy, Powell, Ross, Sullivan of Jefferson Swaine, Tipton, and Graham speakers.

Ordered, That the said bill be engrossed and read a third time to day.

A message from the senate by Mr. Brew,

Announcing that the senate have concurred in the amendment made by this house, to the engrossed bill from the senate entitled, an act fixing the time of holding courts in the several circuits in this state.

Mr. Ross from the committee for enrolled bills, reported that the said committee did on this day, present to his Excellency the Governor, for his approbation and signature the enrolled bills entitled :

An act for the formation of a new county out of the counties of Delaware and Jackson.

An act relative to the office of secretary of state.

An act for the relief of the administrators of the estate of John McMurtry deceased and Tubby Bloyd.

An act to incorporate New-Albany school.

An act divorcing Margaret McGee, late Margaret Thompson from her husband Crawford M'Gee.

An act subjecting bank notes refused to be redeemed with specie on demand to interest—and

A joint resolution on the subject of postage.

Mr. Ross further reported that the said committee had examined one enrolled bill entitled :

An act to repeal an act to vacate part of the town of Lanesville, and

A joint resolution relative to banks, and that the same are correctly enrolled.

The bill to reduce into one all the acts and parts of acts regulating mills and millers, was read a third time and passed.

Ordered, That the same be entitled an act and that the clerk notify the senate thereof and request their concurrence.

Mr. Ross from the committee for enrolled bills repor-

ted that the committee have examined and compared a memorial of the General Assembly, to Congress on behalf of the citizens of Knox, and other counties therein named; and that the same is truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

A message from the senate by Mr. Drew,

Announcing that the senate have passed an engrossed bill entitled an act supplementary to an act of the present session of the General Assembly for the formation of a new county out of the counties of Jackson and Delaware, in which they desire the concurrence of this house.

The rule being dispensed with the said bill was read three times and having been amended by common consent was passed.

Ordered, That the clerk notify the senate thereof and request their concurrence in the amendment made by this house.

The engrossed bill from the senate entitled an act providing for the printing and distributing the laws and journals of the present session, having been by common consent amended, was read a third time and passed.

Ordered, That the senate be notified accordingly.

On motion,

The committee of the whole to whom was referred the bill from the senate, incorporating the Indiana Manufacturing Company, are discharged from the further consideration thereof, and the said bill was read a third time—

And the question of its passage being put, it was determined in the affirmative—Ayes 16—Noes 11.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Battell, Chambers, Crawford, Gibson, Green, Hay, John, Merrell, Milroy, Ross, Sullivan of Jeffer-

son, Swaine, Tipton, Yandes and Graham, Speaker.

Those who voted in the negative were,

Messrs. Clark, Ferris, Goudie, Hanna, Holman, McDonald, Powell, Robb, Sturgus, Sullivan of Knox, and Zenor.

And so the said bill passed.

Ordered, That the senate be notified accordingly.

On motion,

Resolved, That the committee of the whole to whom was referred the bill authorising the erection of a state prison at Jeffersonville, be discharged from the farther consideration thereof.

Whereupon,

Mr. Sullivan of Knox moved that the further consideration thereof be postponed till the first Monday in December next.

Which motion was negatived—Ayes 12—Noes 15.

And the Ayes and Noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Chambers, Goudie, Hanna, John, McDonald, Powell, Robb, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Yandes, Zenor, and Graham Speaker.

Those who voted in the negative were,

Messrs. Battell, Clark, Crawford, Ewing, Ferris, Gibson, Green, Hay, Holman, Merrell, Milroy, Powell, Ross, Swaine, and Tipton.

Mr. Sullivan of Knox moved to strike out so much of said bill as contemplates an appropriation of three thousand dollars, on the part of the state, towards the completion of the state prison at Jeffersonville, which motion was negatived.

Mr. Sullivan of Knox moved to amend the said bill, by striking out the words "*town of Jeffersonville*," throughout the bill and inserting in lieu thereof "*Indianapolis*."

Which motion was determined in the negative—ayes 9—noes 16.

The Ayes and Noes were demanded by two members,

Those who voted in the affirmative were,

Messrs. Chambers, Goudie, Hanna, McDonald, Sturgus, Sullivan of Knox, Yandes and Graham Speaker.

Those who voted in the negative were,

Messrs. Battell, Clark, Crawford, Ewing, Ferris, Gibson, Green, Hay, Holman, John, Merrell, Milroy, Powell, Ross, Sullivan of Jefferson, Swaine, and Tipton.

Mr. Sullivan of Knox moved to amend the said bill, by striking out the words "Jeffersonville," throughout the bill and inserting in lieu thereof "Madison," which motion was negatived—Ayes 9—Noes 19.

And the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Goudie, Hanna, McDonald, Robb, Sturgus, Sullivan of Jefferson, Sullivan of Knox, Yandes and Graham Speaker.

Those who voted in the negative were,

Messrs. Battell, Chambers, Clark, Crawford, Ewing, Ferris, Gibson, Green, Hay, Holman, John, Merrell, Milroy, Powell, Ross, Swaine, Tipton and Zenor.

The said bill was then read a third time and on the question of its passage, the ayes and noes being demanded by two members,

Those who voted in the affirmative were,

Messrs. Battell, Clark, Crawford, Ewing, Ferris, Gibson, Green, Hay, Holman, Merrell, Milroy, Powell, Ross, Swaine, and Tipton.

Those who voted in the negative were,

Messrs. Chambers, Goudie, Hanna, John, McDonald,

Robb, Sturgus, Sullivan of Jefferson, Sullivan of Knox Zenor and Graham Speaker.

And so it was—

Resolved. That the said bill pass.

Ordered. That the same be entitled an act and that the clerk notify the senate accordingly and request their concurrence therein.

Mr. Ferris asked for and obtained leave to introduce a joint resolution to encourage manufacturing domestic cloths, which was read and ordered to be read a second time this evening.

And the house adjourned to six o'clock.

Monday Evening, six o'clock.

The house met pursuant to adjournment.

A message from the Senate by Mr. Drew,

Announcing that the senate have concurred in the amendments made by this house to the engrossed bill from the senate, entitled an act supplementary to an act of the present session of the General Assembly, for the formation of a new county out of the counties of Jackson and Delaware.

Also, that they have concurred in the amendments made by this house, to the engrossed bill from the senate, entitled an act providing for the printing and distributing of the laws and journals of the present session of the General Assembly.

A message from the senate by Mr. Dunbar, their assistant secretary :

Announcing that his Excellency the Governor, has communicated to the senate, by Mr. Lilly, that he did on this day approve and sign the enrolled bills, entitled,

An act divorcing Margaret McGee, late Margaret Thompson, from her husband Crawford McGee.

And an act relative to the office of secretary of state ; which originated in the senate.

A message from the Governor by Mr. Lilly,

Announcing that his Excellency did on this day approve and sign the enrolled bills, entitled,

An act for the formation of a new county out of the counties of Jackson and Delaware.

An act incorporating New Albany school.

An act for the relief of the administrators of John McMurtry deceased and Tubby Bloyd.

An act subjecting bank notes refused to be redeemed with specie on demand to interest.

Also, a joint resolution on the subject of postage ; all of which originated in the house of representatives.

A message from the Senate by Mr. Harrison,

Announcing that the senate have passed a joint resolution of the General Assembly of the state of Indiana, directing the secretary of state to make certain repairs in the state house for the accommodation of the ensuing General Assembly, in which the concurrence of the house is desired.

The said resolution, the rule being dispensed with, was read three times, and having been amended by common consent, it was

Resolved, that the same pass as amended.

Ordered, That the senate be notified accordingly, and that their concurrence in the amendments be requested.

Mr. Merrell, from the committee for enrolled bills, reported, that said committee have examined the enrolled bill, entitled an act fixing the time of holding courts in the several circuits in this state, and for other purposes, and that the same is correctly enrolled.

Whereupon,

The Speaker having signed the same.

Ordered, that the clerk notify the senate accordingly.

The engrossed bill authorizing an injunction to issue in certain cases, was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof, and their concurrence therein be requested.

The joint resolution to encourage the manufacturing of domestic cloths, was again read and referred to a committee of the whole house on this evening.

Report of the Judiciary Committee on the subject of the correspondence between the Governor of this state and the acting Governor of the state of Kentucky, respecting fugitives from the justice of this state.

Mr. MERRELL, from the Judiciary Committee, submitted the following

REPORT:

The Judiciary Committee have, according to order, had the communication of his Excellency the Governor, respecting the demand made by him on the acting Governor of Kentucky, of certain fugitives from justice, and have agreed to report as follows:

From the papers before your committee, it appears that Robert Stevens, a member of the Kentucky legislature, and others, having been indicted at the November term of the Harrison circuit court, for manstealing, were demanded of the acting governor of Kentucky, as fugitives from justice, and that the legislature of Kentucky, on being informed of the demand made, did, by resolution, refuse the surrender of Stevens, and the same was also refused by the acting governor of Kentucky. The point, principally relied on by the legislature, in their refusal to deliver up Mr. Stevens, is, that the law of Indiana, for the violation of which he had been indicted, is inconsistent with the constitution of the United States. The indictment, among other things, charges Stevens and others, with having feloniously and forcibly arrested Susan, a woman of color, with a design to take her, the said Susan, out of this state, (to wit: Indiana) without establishing the claim

of them, the said Stevens and others according to the laws of this state and of the United States.

To prove the unconstitutionality of the law under which this indictment was founded, a clause of the second section of the 4th article of the constitution of the United States is referred to, which is as follows .

“ No person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on the claim of the party to whom such service or labor may be due.”

From this clause a conclusion is draw that Congress has the sole power to regulate the mode of claiming persons owing service and labor in one state and escaping to another. and of punishing all abuses that may accrue from improper claims : but your committee cannot admit the justness of the above conclusions—they would infer, that as states are only prohibited from discharging the obligations to serve ; this single prohibition implies, that any other regulation of the subject might be made at the discretion of the several states, and a further proof that no more was intended than to prohibit one state from emancipating the slaves of another, may be found in the tenth article amendatory to the constitution, which provides, that the powers not delegated to the United States by the constitution nor prohibited by it to the states, are reserved to the states respectively or to the people.

The law of the United States respecting persons escaping from their masters. fixes no penalty for abuses that arise under it ; and though it is said that the courts of Kentucky will remunerate him who may illegally be seized and brought thither without just cause : yet those courts cannot punish criminal offences committed in another state, nor can it be admitted for a moment that those states alone, where slavery is tolerated, are to try the right to freedom, where it is disputed, and to

prohibit and punish manstealing. Though the law of Congress provides that judges, magistrates of counties, &c. in certain cases, may give a certificate by which a fugitive, owing service or labor, may be recovered : yet this law, so far as it imposes duties on state officers, is not binding, for, if such were the case, they might, in time, be altogether perverted from what our constitution intended. If, therefore, the constitution of the United States requiring the person owing service or labor to be delivered up on the claim of the party to whom the service or labor is due, is to effect state officers, state laws then ought to be made. No claim can be recognized nor delivery made, unless by a competent court. If no state law on the subject be made, our courts have nothing to guide them in aiding a claim guaranteed by the constitution of the United States. As, therefore, Congress have not provided that abuses, under this law should be punished, and from the small number of the United States judges who are authorized to act, much inconvenience would arise, it became both the right and the duty of our state to pass some law on the subject ; and, though our statute may not please the unfortunate slave holder in every respect, yet, so far is it from discharging from service and labor, that it provides that state officers shall aid the restoration of fugitives from labor to the claimant, that as speedy a decision should be had as in questions of far less consequence than freedom ; and that a penalty should be imposed upon those who, unauthorized either by the laws of the United States or of this state, commit violence on others, who, by our constitution, are presumed to be free.

Your committee cannot but view with regret the course that has been pursued by our sister state, and which if persisted in, may be attended with the most fearful consequences. If the violators of our laws find protection in another state, and the wise provisions of the constitution that fugitives from justice shall be sur-

rendered, are disregarded, then, indeed, we may predict a speedy dissolution of those bonds, under which we have hitherto acted as members of one family—when our rights are again invaded force may be repelled with force.

That such expedients may not be adopted, is ardently to be desired; but they are to be feared when alleged crimes find means to avoid judicial investigation. If any of the laws of Indiana are unconstitutional, and if any of the persons indicted in our courts are innocent, ought it not to appear from some other authority than the legislature of Kentucky, which, by its own constitution, is prohibited from exercising judiciary powers?

Your committee considering that the constitutionality of the law which Mr. Stevens is accused of violating, cannot be doubted, forbear to remark on some other arguments brought forward by the Kentucky legislature, which relate to the policy of the law for which we are not accountable to them.

Your committee beg leave to offer the following resolutions:

Resolved, That his excellency the governor be requested to communicate to the President of the United States or to Congress his proceedings on the demand made by him of the acting governor of Kentucky, of Robert Stevens and others, fugitives from justice, and enter into such negotiations on the subject, as he may deem most for the honor of the state.

Resolved, That his excellency the governor is entitled to the thanks and confidence of this house for the attention he has bestowed on this subject, and the manner it has been conducted by him.

Which report having been read,

Resolved, That the house concur therein.

Ordered, That the same be enrolled and filed in the office of the secretary of state—and,

Ordered, that that the same be printed in the Indiana Gazette at the expense of the state.

On motion,

Resolved, That the several committees of the whole to whom was referred the following bills, to wit :

The bill for the relief of certain lessees of land in Gibson county, reserved for the use of county seminaries and vested in the legislature of the state.

The bill reported as an amendment to the engrossed bill, entitled an act for the formation of a new county out of the counties of Wabash and Delaware, and

A joint resolution of the General Assembly of the state of Indiana, be discharged from a further consideration thereof—and,

Thereupon,

Resolved, That the further consideration of the said bills and resolution be postponed till the second Monday in December next.

A message from the senate by Mr. Bartholomew,

Announcing that the senate have passed the engrossed bill from this house, entitled an act to authorize the erection of a State Prison at Jeffersonville, without amendment.

A message from the senate by Mr. Harrison,

Announcing that the senate have concurred in the amendments made by the House of Representatives to the joint resolution directing the secretary of state to cause the state house to be repaired for the accommodation of the ensuing General Assembly.

The house, according to order, resolved itself into a committee of the whole to consider the bill making specific appropriations, and the bill to amend an act entitled an act regulating the settlement of testate & intestate estates and for the relief of widows, Mr. Sullivan of K. in the chair, & after some time spent in the consideration of the same, the Speaker resumed the chair, and Mr. Sullivan reported that the committee of the whole, had according to order had the said bill under consider-

ation, and had made sundry amendments to the said first mentioned bill, and that having made no amendments to the said last mentioned bill, he was directed to report the same to the house.

The said amendments to the said first mentioned bill were read and concurred in by the house.

On motion by Mr. Ross,

The said bill was amended by adding a provision depriving the brigade inspectors of any compensation they now receive from the state treasury.

On motion,

Resolved, That the further consideration of the said bill to amend the act regulating the settlement of testate and intestate estates, and for the relief of widows, be postponed till the first Monday in December next.

On motion,

The committee of the whole to whom was referred the resolution to encourage manufacturing of domestic cloth be discharged from a further consideration thereof, and—

On motion by Mr. Sullivan of Knox,

Resolved, That the farther consideration thereof, be postponed till the first Monday in December next.

On motion,

The committee of the whole to whom was referred the bill appointing commissioners to locate the permanent seat of justice for Scott county and for other purposes, is discharged from the further consideration thereof.

And on motion,

Resolved, That the further consideration thereof be indefinitely postponed—Ayes 13—Noes 9.

And the Ayes and Noes being required by two members,

Those who voted in the affirmative were,

Messrs. Clark, Crawford, Hanna, John, McDonald, Merrell, Milroy, Powell, Robb, Sullivan of Jefferson, Sullivan of Knox and Graham, Speaker.

Those who voted in the negative were,
Messrs. Chambers, Ewing, Ferris, Gibson, Goudie,
Green, Hay, Ross, Tipton and Zenor.

Mr. Ross from the committee for enrolled bills reported that the said committee had examined the enrolled bill entitled an act authorising the issuing of treasury notes, and that the same is truly enrolled.

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

On motion,

Resolved, That the committees of the whole to whom was referred the bill for the relief of the heirs of Thomas Berry dec'd and William H. S. Branham, a minor, and the bill defining the duties of sheriffs and collectors in certain cases, and for other purposes, be severally discharged from a further consideration thereof.

Whereupon,

The said bills were severally read a third time and passed.

Ordered, That they be severally entitled, an act, and that the senate be notified accordingly.

The bill making specific appropriations having been engrossed was read a third time and passed.

Ordered. That the same be entitled an act, and that the senate be notified accordingly.

On motion,

Resolved, That the further consideration of the engrossed bill from the senate, entitled an act, to amend an act authorising the citizens of towns to vacate said towns and for other purposes be indefinitely postponed.

Resolved. That the several committees of the whole, to whom are referred the several bills now before the house, be discharged from the further consideration thereof.

The engrossed bill from the senate, entitled an act to provide for arrest, in certain cases, was read a third time and passed.

Ordered, That that the same be entitled an act, and that the senate be notified accordingly.

Mr. Merrell from the committee appointed to consider the charges, alledged against Curtis Gilbert, clerk of the circuit court of Vigo county, reported that the said committee had directed him to prepare and submit articles of impeachment against him the said Curtis Gilbert clerk as aforesaid.

Which articles of impeachment he handed in at the clerk's table where they were read.

Resolved, That the house adopt the same.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

Messrs. Merrell, Sullivan of Jefferson and Ross are appointed managers to prosecute the same.

The bill to authorize the trustees of the state seminary to loan the money in their possession, on interest, was read a third time and passed.

Ordered, That the senate be notified accordingly.

The joint resolution, from the senate on the subject of the three per cent. fund, was read a second time and ordered to be read a third time on to-morrow.

The bill to amend an act, entitled an act, to reduce into one act all acts and parts of acts, relative to crimes and punishments, was read a third time and passed.

Ordered, That the same be entitled an act, and that the senate be notified of the passage thereof and their concurrence requested.

Resolved, That the further consideration of the bill, to authorise a called session of the circuit court for the purposes therein named, be indefinitely postponed.

The bill to repeal the charters of all banks that refuse to redeem their notes with specie was read and,

Thereupon,

Mr. Merrell moved that the further consideration thereof be indefinitely postponed, which motion was negatived—ayes 3—noes 20.

Messrs. McDonald, Merrell, and Swaine voted in the affirmative, and the other members present in the negative.

By unanimous consent—

Resolved, That the bill to apportion the senators and representatives in this state, which originated in this house, and the bill to attach part of the counties of Wayne and Franklin to the county of Fayette, be indefinitely postponed.

The house resumed the consideration of the resolution to adjourn the General Assembly to Charlestown, in Clark county and,

Thereupon,

Resolved, That the further consideration thereof, be postponed till the first Monday in June next.

A message from the senate by Mr. Harrison,

Announcing that the senate have passed an engrossed bill from this house entitled an act making specific appropriations, with some amendments, in which the concurrence of this house is desired

The said amendments having been read.

Resolved, That the house concur therein.

The house adjourned till to-morrow morning at nine o'clock.

Tuesday, January 9th, 1821.

The house met pursuant to adjournment.

Mr. Merrell from the committee for enrolled bills reported that the said committee have examined and compared an enrolled bill entitled :

An act supplemental to an act, locating certain permanent roads therein named, and for other purposes, approved January 22, 1820, and that the same is truly enrolled,

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

Mr. Merrell further reported that the said committee have on yesterday presented to his Excellency the Governor for his approbation and signature.

A joint resolution of the General Assembly to promote education.

A joint resolution for the benefit of Harbin H. Moore and for other purposes.

A joint resolution relative to banks.

Also, the enrolled bills entitled :

An act attaching part of Clark county to the county of Floyd.

An act for the relief of Henry Ayres.

An act fixing the times of holding courts in the several circuits, within this state and for other purposes.

An act to repeal an act vacating part of the town of Lanesville, approved 18th January 1820.

An act authorising the issuing of treasury notes, and

An act supplemental to an locating certain roads therein named and for other purposes, approved January 22d, 1820.

A message from the senate by Mr. Drew,

Announcing that the senate have adopted the following resolution :

Resolved, That the senate postpone the further consideration of the articles of impeachment, preferred by the house of representatives against Curtis Gilbert esq. clerk of the Vigo circuit court, until the Thursday succeeding the first Monday in December next.

A message from the senate by Mr. Gregory,

Announcing that the senate have passed an engrossed bill from this house, entitled an act authorising the trustees of the state seminary, to loan the money in their possession on interest, without amendment.

A message from the Governor by Mr. Lilly,

Announcing that his Excellency did on this day approve and sign the enrolled bills entitled as follows :

An act authorising the issuing of treasury notes.

An act for the relief of Henry Ayres.

An act attaching part of the county of Clark to Floyd county.

An act to repeal an act entitled an act, vacating part of the town of Lanesville, approved January 18, 1820—also,

A joint resolution to promote education.

A joint resolution relative to banks—all which originated in the house of representatives.

Mr. Ross introduced a joint resolution to provide for the safe keeping of the furniture of the General Assembly ; which, the rule being dispensed with was read three times and passed.

Ordered, That the senate be notified accordingly.

Mr. Ferris from the committee on that subject submitted a bill to provide for the appointment of justices of the peace at Indianapolis ; which bill the rule being dispensed with, was read three times at the clerk's table and passed.

Ordered, That the same be entitled an act, and that the senate be informed of the passage thereof and their concurrence therein requested.

At the request of the house Mr. Crawford was called to the chair,

Whereupon,

On motion by Mr. Milroy,

Resolved unanimously, That the thanks of the house of representatives, be tendered to the Honorable WILLIAM GRAHAM, Speaker, for the correct, dignified and impartial manner, in which he has discharged the arduous duties of the highly responsible station, assigned him, during the present session of the General Assembly.

A message from the senate by Mr. Harrison,

Announcing that the senate have passed the engrossed bill from this house, entitled an act for the formation of a new county north of Vigo county, with some amendments, in which the concurrence of the house is requested.

The said amendments were read, and by common consent,

Resolved, That the house concur therein,

A message from the senate by Mr. Drew,

Announcing that the senate have passed the engrossed bill from this house, entitled an act to provide for the appointment of justices of the peace at Indianapolis, without amendment—and further, that the senate have passed the joint resolution, from this house, to provide for the safe keeping of the furniture of the General Assembly, without amendment.

Mr. Merrill, from the committee for enrolled bills, reported that the said committee have examined the enrolled bills, entitled,

An act supplementary to an act passed at the present session, for the formation of a new county out of the counties of Jackson and Delaware.

An act to provide for printing and distributing the laws and journals of the present General Assembly.

Also, a joint resolution directing certain repairs to be made to the state house, for the accommodation of the ensuing General Assembly; and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

Mr. Sullivan of Jefferson, presented the petition of Patrick Wilson, praying a review of the road from Madison to Brownstown.

Ordered, That the same lie on the table till the first Monday in December next.

On motion by Mr. Chambers,

Resolved, That Jonathan Osborn have leave to withdraw his petition and documents.

Mr. Merrell, from the committee for enrolled bills, reported that the said committee have examined and compared the enrolled bill entitled,

An act making specific appropriations ; and that the same is truly enrolled.

Whereupon—The Speaker signed the same.

Ordered, That the senate be notified accordingly.

Mr. Merrell from the joint committee for enrolled bills, reported that the said committee did on this day present to his excellency the governor, for his approbation and signature the enrolled bills entitled,

An act to provide for printing and distributing the laws and journals of the present General Assembly.

An act supplementary to an act passed at the present session for the formation of a new county out of the counties of Jackson and Delaware.

And a joint resolution directing the secretary of state to make certain repairs to the state house for the accommodation of the ensuing General Assembly.

Mr. Sullivan of Knox, from the committee for enrolled bills, reported, that the said committee have examined and compared the enrolled bills entitled,

An act to provide for arrest in certain cases.

And an act to authorize the trustees of the state seminary to loan the money in their possession on interest; and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

Mr. Merrell, from the committee for enrolled bills, reported that the enrolled bills entitled,

An act to authorize the trustees of the state seminary to loan the money in their possession on interest.

And an act to provide for arrest in certain cases, were on this day presented to his excellency the governor for his approbation and signature.

The house adjourned to one o'clock.

The house met pursuant to adjournment.

On motion by Mr. Milroy,

Resolved, That the assistant clerk of this house

be

instructed to file and arrange the papers and documents of the House of Representatives and deliver the same over to the secretary of state for safe keeping, and that he be directed to tarry after the adjournment of the House of Representatives a sufficient time for that purpose.

Mr. Merrell, from the committee for enrolled bills, reported that on this day the enrolled bills, entitled as follows :

An act to incorporate the Indiana Cotton Manufacturing Company.

An act authorizing the building of a state prison and for other purposes.

An act to provide for the appointment of justices of the peace at Indianapolis.

Also a joint resolution to preserve the stationary and furniture of the General Assembly, were presented to his Excellency the Governor for his approbation and signature.

Mr. Sullivan of Knox, from the committee for enrolled bills, reported that the said committee have examined and compared the enrolled bills entitled,

An act for the formation of a new county north of the county of Vigo.

And an act to provide for the erection of a house for the employment and support of the poor of Knox county ; and that the same are truly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, That the senate be notified accordingly.

Mr. Merrell, from the committee for enrolled bills, reported that the said committee did on this day present to his Excellency the Governor, for his approbation and signature the enrolled bill entitled,

An act to provide for the erection of a house for the employment and support of the poor of Knox county.

A message from the Governor by Mr. Lilly,

Announcing that his Excellency did on this day approve and sign the enrolled bills entitled as follows:

An act supplementary to an act locating certain roads therein named, approved 22d January, 1820.

An act making specific appropriations.

An act to authorize the trustees of the state seminary to loan money in their possession on interest.

An act authorizing the building of a state prison and for other purposes.

An act to provide for the appointment of justices of the peace at Indianapolis.

An act to provide for the erection of a house for the employment and support of the poor of Knox county.

An act for the formation of a new county north of Vigo county.

Also a joint resolution to preserve the stationery of the General Assembly; all of which originated in this house.

On motion by Mr. Milroy.

Resolved, That a committee be appointed to act with a similar committee, which may be appointed on the part of the senate, to wait on his Excellency the Governor, and inform him that the two houses have gone through their business and are about to adjourn; and to enquire if his Excellency has any further communications to make previous thereto.

Messrs. Milroy and Tipton are appointed the committee contemplated by said resolution.

Ordered, That the senate be notified thereof, and their concurrence in said resolution requested.

A message from the senate by Mr. Morrison, their secretary.

Announcing that the senate have concurred in the last mentioned resolution, and have appointed Messrs. Gray and Gregory a committee on their part.

have performed the duty assigned to them, and had received for answer, that his Excellency has no further communications to make.

On motion by Mr. Milroy,

Resolved. That the Senate be informed that the House of Representatives have gone through the business and are now ready to adjourn *sine die*.

A message from the senate by Mr. Morrison, their secretary,

Announcing that his Excellency the Governor has communicated to the senate that he has approved and signed, on this day, the enrolled bills entitled,

An act supplementary to an act passed at the present session for the formation of a new county out of the counties of Jackson and Delaware.

An act to provide for printing and distributing the laws and journals of the present session of the General Assembly.

An act to provide for arrest in certain cases.

An act to incorporate the Indiana Manufacturing Company.

Also a joint resolution of the General Assembly of the state of Indiana, directing the secretary of state to make certain repairs to the state house; all of which originated in the senate.

A message from the senate, by Mr. Slaughter,

Announcing that the senate have gone through their business, and are ready to adjourn *sine die*.

Resolved. That the House of Representatives adjourn *sine die*.

WILLIAM W. WICK, *Clerk*
of the House of Representatives.



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